

CITY OF UNION CITY
HUDSON COUNTY, NEW JERSEY
ZONING BOARD OF ADJUSTMENT

REGULAR MEETING : TRANSCRIPT OF RECORDED
: PROCEEDINGS
: _____ :
:

Union City High School
Media Center
2500 Boulevard
Union City, New Jersey

Thursday, October 8, 2020
Commencing at 6:14 p.m.

M E M B E R S P R E S E N T:

MARGARITA GUTIERREZ
DAVID W. PRESSEY
GERALDINE PEREZ, Alternate No. 2
RAYMOND CETINICH, Alternate No. 3
MINDRY WATLEY, Alternate No. 4
VICTOR M. GRULLON, Vice Chairman

M E M B E R S A B S E N T:

LIBERO MAROTTA
JOHN MEDINA
MIGUEL ORTIZ
ROSIO PENA, Alternate No. 1

A L S O P R E S E N T:

CARLOS VALLEJO, Secretary to the Board

TOMAS R. PANEQUE, ESQ., Board Attorney

DAVID SPATZ, Consultant
Community Housing and Planning Associates

A P P E A R A N C E S:

BIANCA P. PEREIRAS, ESQ.,
Attorney for Applicant, 603 Central Avenue, LLC

BIANCA P. PEREIRAS, ESQ.,
Attorney for Applicant, 134 35th Street, LLC

BIANCA P. PEREIRAS, ESQ.,
Attorney for Applicant, Rafael Taveres

ROBERT M. MAYEROVIC, ESQ.,
Attorney for Applicant, Shefa Realty Corp.

ADOLFO L. LOPEZ, ESQ.,
Attorney for Applicant, CHA Partners, LLC

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1 THE SECRETARY: Ready?

2 MS. DILLON: Yes.

3 On the record.

4 THE SECRETARY: May I have your attention,
5 please?

6 Please take notice that on Thursday,
7 October 8, 2020, six p.m., a Regular Meeting is
8 scheduled for the Union City Board of Adjustment,
9 to be held in the Union City High School, located
10 at 2500 John F. Kennedy Boulevard, Union City,
11 New Jersey.

12 Can everybody kindly rise to salute the
13 flag, please?

14

15 (Whereupon, the Pledge of Allegiance was
16 said by all.)

17

18 THE SECRETARY: Thank you.

19 Adequate notice of this meeting has been
20 provided as follow:

21 Notice of this meeting setting forth the
22 time, date, location, the agenda to the extent
23 known, was forwarded to The Jersey Journal, The
24 Record, and The Hudson Reporter, has been posted
25 on the bulletin board in City Hall, and has been

1 made available to the public in the Office of the
2 Municipal Clerk.

3

4 **ROLL CALL:**

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6 THE SECRETARY: Roll call for tonight's
7 meeting.

8 Victor Grullon?

9 VICE CHAIRMAN GRULLON: Here.

10 THE SECRETARY: Libero Marotta?

11 Is absent.

12 Margarita Gutierrez?

13 MS. GUTIERREZ: Here.

14 THE SECRETARY: Miguel Ortiz?

15 Is absent.

16 David Pressey?

17 MR. PRESSEY: Here.

18 THE SECRETARY: John Medina?

19 Is absent.

20 Rosio Pena?

21 Is absent.

22 Geraldine Perez?

23 MS. PEREZ: Here.

24 THE SECRETARY: Raymond Cetinich?

25 MR. CETINICH: Here.

1 THE SECRETARY: Mindry Watley?

2 MS. WATLEY: Here.

3 THE SECRETARY: Let the record indicate
4 there are six present.

5 We have a full quorum for tonight's
6 meeting.

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1 **ADOPTION OF MINUTES:**

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3 (1) Regular Meeting held on September 10, 2020

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5 THE SECRETARY: The agenda.

6 Approval of previous meeting minutes from

7 September 10, 2020.

8 Can I have a motion?

9 VICE CHAIRMAN GRULLON: Motion.

10 THE SECRETARY: Motion by Mr. Grullon.

11 Any second the motion?

12 Seconded by Mr. Pressey.

13 Roll call on the motion.

14 Mr. Grullon?

15 VICE CHAIRMAN GRULLON: Yes.

16 THE SECRETARY: Ms. Gutierrez?

17 MS. GUTIERREZ: Abstain.

18 THE SECRETARY: Mr. Pressey?

19 MR. PRESSEY: Yes.

20 THE SECRETARY: Ms. Perez?

21 MS. PEREZ: Yes.

22 THE SECRETARY: Mr. Cetinich?

23 MR. CETINICH: Yes.

24 THE SECRETARY: Ms. Watley?

25 MS. WATLEY: Yes.

1 THE SECRETARY: Five in favor, one -- one
2 abstained.

3 Motion carries.

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1 **603 Central Avenue, LLC -**

2 **603-607 Central Avenue:**

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4 THE SECRETARY: We are going tonight's
5 first application, is a continuation of the
6 previous meeting.

7 603 Central Avenue, LLC, 603-607 Central
8 Avenue.

9 Ms. Pereiras, please?

10 MS. PEREIRAS: Thank you, Mr. Vallejo.

11 Good evening, Mr. Chairman, counsel,
12 members of the Board.

13 May it please the Board, Bianca Pereiras,
14 on behalf of the applicant.

15 As the Board my recall, we had appeared
16 before this Board last month and presented three
17 two family homes. The Board had some suggestions
18 to modify the building, and we've made those
19 revisions to our drawings.

20 I'd like to call up our architect, so that
21 he can continue with the testimony and advise as
22 to the changes.

23 MS. DILLON: Please raise your right hand.

24 Do you affirm the testimony you're about to
25 give this Board is the whole truth?

1 MR. PEREIRAS: I do.

2 MS. DILLON: Please state your name for the
3 record.

4 MR. PEREIRAS: Manny Pereira,
5 P-E-R-E-I-R-A-S, with Pereira Architects
6 Ubiquitous, 1116 Summit Avenue, Union City.

7 MS. DILLON: Thank you.

8 MS. PEREIRAS: Mr. Pereira, would you
9 kindly describe the modifications that you did
10 for the Board?

11 MR. PEREIRAS: I'd be very happy to.

12 Board members, this is one of those
13 projects where I -- I really appreciate a great
14 dialogue between the Board, the planner and --
15 and the applicant. We were able to take the
16 comments made by the Board and we made some
17 modifications and submitted drawings. We have
18 received further instructions and -- and
19 recommendations, and we'd like to do that.

20 What we did instead of having our buildings
21 butt up against the adjacent structure, with a
22 zero setback, what we're doing is we're proposing
23 a three foot setback along that property and
24 creating the three foot setback between each of
25 the two family houses, so that each of the

1 | properties will have three feet from the adjacent
2 | property, both the outside neighbors and the
3 | inside neighbors.

4 | If this Board were to deem this -- approve
5 | this project, we would submit those revised
6 | drawings to your planner so that he could do the
7 | final review and we could move forward and get
8 | these beautiful two families built.

9 | And just as a reminder, we're demolishing
10 | an existing warehouse and creating three two
11 | family houses in their space.

12 | VICE CHAIRMAN GRULLON: And thank you, Mr.
13 | Pereiras, for taking the consideration of the --
14 | listening to the Board and also the
15 | professionals, our planner, and making
16 | modifications on the application to make it safer
17 | for the resident.

18 | I think this is really important that we
19 | have -- you know, the proper set -- side yard,
20 | that in case of a fire, in case of emergency,
21 | people have access to an area to escape -- you
22 | know?

23 | There was another -- you know, concern with
24 | the façade. Were you able to address any of the
25 | --

1 MR. PEREIRAS: Yes.

2 By creating the three foot setback between
3 buildings, it really clearly makes them into
4 individual separate structures. And what we did
5 in our drawings is we simply said that the -- the
6 two buildings on the end would be color A, and
7 the building in the middle will be color B.

8 Colors to be determined later, but that
9 way, that they're different colors so that it
10 reads as separate structures.

11 VICE CHAIRMAN GRULLON: Okay.

12 I don't have any further question.

13 Any -- any member of the Board has any
14 question on this?

15 At this time, I want to open it to the
16 public.

17 Any member of the -- any member of the
18 public want to step forward?

19 Hear none, closed to the public.

20 Again, taking in consideration that -- that
21 you're replacing a nonconforming use with a -- in
22 a residential zone with a -- and providing
23 residential units for the neighbor, and also,
24 bringing the construction up to Code, with all
25 the elements of the safety that we require in

1 Union City, I make a motion to grant the
2 application with the conditions to revise the
3 plans.

4 THE SECRETARY: Motion to grant the
5 application by Mr. Grullon.

6 Any second the motion?

7 MS. PEREZ: Second.

8 THE SECRETARY: Seconded by Ms. Perez.

9 Roll call on the motion to grant this
10 application with the conditions they need revised
11 plans.

12 MR. PANEQUE: Just as a matter of
13 housekeeping, Mr. Vallejo.

14 I -- I believe Ms. Gutierrez was not
15 present at the last hearing, although it's my
16 understanding that she's read the transcript.

17 MS. GUTIERREZ: Yes, I did.

18 MR. PANEQUE: Are we going to have her vote
19 on this?

20 THE SECRETARY: She abstained -- abstained
21 on the --

22 MS. GUTIERREZ: In the previous --
23 Yeah.

24 THE SECRETARY: -- on the minutes. On the
25 minutes.

1 MR. PANEQUE: She abstained on minutes?

2 Okay.

3 MS. GUTIERREZ: Yeah.

4 THE SECRETARY: All right.

5 MR. PANEQUE: That's fine.

6 THE SECRETARY: All right.

7 Then I have a motion to grant this
8 application by Mr. Gullon.

9 Seconded by Ms. Perez.

10 Roll call on the motion.

11 Mr. Gullon?

12 VICE CHAIRMAN GRULLON: Yes.

13 THE SECRETARY: Mr. Pressey?

14 MR. PRESSEY: Yes.

15 THE SECRETARY: Ms. Perez?

16 MS. PEREZ: Yes.

17 THE SECRETARY: Mr. Cetinich?

18 MR. CETINICH: Yes.

19 THE SECRETARY: Ms. Watley?

20 MS. WATLEY: Yes.

21 THE SECRETARY: Five in favor.

22 Motion carries.

23 MS. PEREIRAS: Thank you all very much.

24 MR. PEREIRAS: Thank you, everyone.

25 See you next month.

1 THE SECRETARY: Thank you.

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1 **134 35th Street, LLC -**

2 **134 35th Street:**

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4 THE SECRETARY: All right.

5 Item number 2, 134 35th Street, LLC.

6 Ms. Pereiras, please?

7 MS. PEREIRAS: Again, Bianca Pereiras on
8 behalf of the applicant.

9 The Board may recall, this application to
10 construct a three family home on the property
11 known as 134 35th Street, also known as Block 212,
12 Lot 8.

13 This property -- this application was heard
14 back in September of 2018 and the Board approved
15 the application, with the Resolution being
16 memorialized on October 11th of 2018.

17 Now, the applicant has submitted all his
18 necessary paperwork to the Union City Building
19 Department. However, the City has not yet issued
20 permits. We understand there might have been
21 some delays because of this pandemic that we've
22 just gone through. So, in order to preserve
23 these approvals that are expiring this month,
24 we're asking this Board, respectfully, for a one
25 year extension.

1 VICE CHAIRMAN GRULLON: I mean, due -- due
2 to the circumstances with the COVID-19 and many
3 offices being closed for a long period of time, I
4 don't see any objections of granting this
5 extension.

6 I make a motion to grant this extension.

7 I don't have to open to the public?

8 MR. PANEQUE: (Indiscernible).

9 THE SECRETARY: Motion on the table to
10 grant extension by Mr. Grullon.

11 MS. GUTIERREZ: I'll second it.

12 THE SECRETARY: Seconded by Ms. Gutierrez.

13 Roll call on the motion.

14 Mr. Grullon?

15 VICE CHAIRMAN GRULLON: Yes.

16 THE SECRETARY: Ms. Gutierrez?

17 MS. GUTIERREZ: Yes.

18 THE SECRETARY: Mr. Pressey?

19 MR. PRESSEY: For one year?

20 Yes.

21 THE SECRETARY: Ms. Perez?

22 MS. PEREZ: Yes.

23 THE SECRETARY: Mr. Cetinich?

24 MR. CETINICH: Yes.

25 THE SECRETARY: Ms. Watley?

1 MS. WATLEY: Yes.

2 THE SECRETARY: Six in favor.

3 Motion carries.

4 MS. PEREIRAS: Thank you all very much.

5 MS. GUTIERREZ: You're welcome.

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1 **134 35th Street, LLC -**

2 **136 35th Street:**

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4 THE SECRETARY: Item number 3.

5 134 35th Street, LLC, 136 35th Street.

6 Ms. Pereiras, please?

7 MS. PEREIRAS: Bianca Pereiras on behalf of
8 the applicant.

9 As you can tell, this is the same applicant
10 from the prior one.

11 This is the neighboring property, where
12 this Board also granted an approval for a new
13 three family home. The applicant in this case
14 has also submitted all of his permit applications
15 to the City. Everything is in order from our
16 end. We're only waiting, at this point, for the
17 Union City Building Department to issue the
18 permits.

19 In order to preserve our approvals, we're
20 here before this Board to request a one year
21 extension.

22 VICE CHAIRMAN GRULLON: And again, these
23 are the same conditions. Due to the COVID-19, we
24 have many -- you know, period of time that the
25 offices are closed and probably there was not a

1 | chance to get these -- you know, construction --
2 | construction permit approved.

3 | But at this time, I just want to -- you
4 | know, take the opportunity to open it to the
5 | public in case anybody from the public, any
6 | members of the public has any -- want to step
7 | forward for this application.

8 | Hearing none.

9 | Closed to the public.

10 | Any member of the Board wants to have any
11 | question?

12 | No?

13 | Yeah, I make a motion to grant this
14 | application; this extension for one year.

15 | THE SECRETARY: Motion to grant the
16 | application by --

17 | MS. GUTIERREZ: And I'm seconding.

18 | THE SECRETARY: -- Mr. Grullon.

19 | Seconded by Ms. Gutierrez.

20 | Roll call on the motion.

21 | Mr. Grullon?

22 | VICE CHAIRMAN GRULLON: Yes.

23 | THE SECRETARY: Ms. Gutierrez?

24 | MS. GUTIERREZ: Yes.

25 | THE SECRETARY: Mr. Pressey?

1 MR. PRESSEY: For one year?

2 Yes.

3 THE SECRETARY: Ms. Perez?

4 MS. PEREZ: Yes.

5 THE SECRETARY: Mr. Cetinich?

6 MR. CETINICH: Yes.

7 THE SECRETARY: Ms. Watley?

8 MS. WATLEY: Yes.

9 THE SECRETARY: Six in favor.

10 Motion carries.

11 MS. PEREIRAS: Thank you all.

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1 **Rafael Taveres -**

2 **1221 New York Avenue:**

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4 THE SECRETARY: Item number 4.

5 Rafael Taveres, 1221 New York Avenue.

6 Ms. Pereiras, please?

7 MS. PEREIRAS: Bianca Pereiras on behalf of
8 Mr. Taveres for property at 1221 New York Avenue,
9 also known as Block 61.02, Lot 7.

10 This property is on the corner of 13th and
11 New York Avenue. This Board previously approved
12 a mixed use building consisting of commercial and
13 parking on the ground floor, with residential
14 units above.

15 This application came before the Board as a
16 separate owner. That owner sold this property to
17 my client, who should have closed months ago, but
18 because of the COVID-19 pandemic, actually just
19 closed on this property this week.

20 He's looking for some time so that he can
21 secure the permits with the Union City Building
22 Department. He has everything in order to submit
23 and is respectfully requesting a one year
24 extension.

25 VICE CHAIRMAN GRULLON: I don't have any

1 objection.

2 Any member of the Board?

3 No?

4 At this time, I want to open to the public.

5 Any member of the public wants to step
6 forward?

7 Seeing none.

8 Closed to the public.

9 Again, those are the same conditions. Due
10 to the COVID-19, there were delays in processing
11 the permits. And as you state -- stated, the
12 original client already finalized the transfer of
13 the property to a new owner.

14 With that, I make a motion to grant this
15 one year extension.

16 THE SECRETARY: Motion to grant the
17 extension by Mr. Grullon.

18 MS. GUTIERREZ: I'm seconding.

19 THE SECRETARY: Seconded by Ms. Gutierrez.

20 Roll call on the motion.

21 Mr. Grullon?

22 VICE CHAIRMAN GRULLON: Yes.

23 THE SECRETARY: Ms. Gutierrez?

24 MS. GUTIERREZ: Yes.

25 THE SECRETARY: Mr. Pressey?

1 MR. PRESSEY: One year?

2 Yes.

3 THE SECRETARY: Ms. Perez?

4 MS. PEREZ: Yes.

5 THE SECRETARY: Mr. Cetinich?

6 MR. CETINICH: Yes.

7 THE SECRETARY: Ms. Watley?

8 MS. WATLEY: Yes.

9 THE SECRETARY: Six in favor.

10 Motion carries.

11 Thank you, Ms. Pereiras.

12 MS. PEREIRAS: Thank you all very much.

13 Have a good night.

14 VICE CHAIRMAN GRULLON: Thank you.

15 Good night.

16 MS. GUTIERREZ: Good night.

17 (Whereupon, there was a pause in the
18 proceedings.)

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1 **Shefa Realty Corp. -**

2 **542 38th Street:**

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4 THE SECRETARY: Item number 5.

5 Next application is Shefa Realty
6 Corporation, 542 38th Street.

7 Mr. Mayerovic, please?

8 MR. MAYEROVIC: Good evening, ladies and
9 gentlemen.

10 Robert Mayerovic appearing on behalf of the
11 applicant, Shefa Realty, with respect to the
12 property at 542 38th Street.

13 In this application, we are seeking to
14 create a basement apartment at the property. The
15 property is currently a six family house, two
16 apartments on each of the three floors.

17 MR. PANEQUE: Mr. Mayerovic, if I may just
18 interrupt you a second?

19 We need to establish jurisdiction for this
20 Board.

21 MR. MAYEROVIC: Yes. Okay.

22 I'm sorry.

23 MR. PANEQUE: We need to take care of that
24 first, please.

25 MR. MAYEROVIC: Let me -- let me just hand

1 some documents over to you.

2 First of all, let me give you the white
3 slips, the stamped white slips.

4 Let me give you the certification of
5 mailing.

6 Let me give you the publication --
7 publication, Jersey Journal.

8 Let me give you the -- let me give you the
9 mailing list.

10 And let me give you the notice that was
11 sent to the property owners.

12 MR. PANEQUE: Thank you, sir.

13 (Whereupon, there was a pause in the
14 proceedings.)

15 MR. MAYEROVIC: Everything was stamped
16 either September 23rd or September 24th.

17 MR. PANEQUE: Let the record reflect the
18 following:

19 I've been provided by Mr. Mayerovic with
20 certified mail receipts with stamped date from
21 the United States Post Office of both September
22 23rd and September 24th.

23 I've also been provided with a list from
24 the Union City Tax Assessor's Office, with a date
25 of September 11, 2020, with respect to the

1 property located at 542 38th Street, Union City,
2 New Jersey, Block 224, Lot 10.

3 I've also been provided with a copy of the
4 notice that was sent to all property owners
5 within the 200 foot radius. Said notice
6 indicates that the applicant will be coming
7 before this Board at a meeting to occur on
8 October 8th at six p.m.

9 Okay.

10 Mr. Mayerovic, your notice is defective,
11 because it lists the location for the meeting at
12 3715 Palisade Avenue.

13 MR. MAYEROVIC: At City Hall.

14 MR. PANEQUE: Yes.

15 MR. MAYEROVIC: Oh, okay.

16 MR. PANEQUE: Yeah, the -- the meeting has
17 been here. So, we can't -- is that what was
18 published also?

19 MR. MAYEROVIC: If we have to renotify,
20 we'll renotify.

21 MR. PANEQUE: Yeah.

22 MR. MAYEROVIC: Okay.

23 MR. PANEQUE: Unfortunately, I apologize,
24 but I just -- this was just handed to me now by
25 you and the --

1 MR. MAYEROVIC: Okay. That -- that --

2 MR. PANEQUE: -- notice does have the
3 address at the -- you know, where it normally
4 would have taken place, but the location was
5 changed to this venue in order to allow for
6 social distancing.

7 MR. MAYEROVIC: I -- I understand.

8 Just so that the record is clear, I -- I
9 think we had sent all of that prior to the
10 hearing. You know, the notice was sent prior to
11 the hearing. But if we have to renotify, that's
12 -- that's not a problem. Whatever it is.

13 MR. PANEQUE: Yeah.

14 MR. MAYEROVIC: I'll -- I'll reach out to
15 Mr. Vallejo and ask him when it can next be
16 relisted.

17 MR. PANEQUE: Yeah.

18 THE SECRETARY: November the 12.

19 MR. MAYEROVIC: I'm sorry?

20 THE SECRETARY: November 12.

21 MR. MAYEROVIC: All right.

22 So, we'll get an updated -- we'll get an
23 updated --

24 MR. PANEQUE: Just make sure that your
25 notice clearly states that the meeting is taking

1 place here. And Mr. Vallejo can provide you with
2 the location and the address for the Union City
3 High School.

4 MR. MAYEROVIC: That -- that's fine.

5 THE SECRETARY: Also, on the website of the
6 City of Union City --

7 MR. PANEQUE: Yeah.

8 THE SECRETARY: -- under schedules, all the
9 information is right there.

10 MR. MAYEROVIC: Okay. That's fine.

11 We'll -- we'll renotify.

12 MR. PANEQUE: I'm going to return these to
13 you.

14 MR. MAYEROVIC: That's okay.

15 Did they change that before or after?

16 MR. PANEQUE: Well, we've been here since
17 June.

18 MR. MAYEROVIC: Okay. I didn't know that.

19 All right.

20 Thank you very much.

21 I apologize.

22 I thank everybody --

23 (Whereupon, there was a pause in the
24 proceedings.)

25 MR. MAYEROVIC: Can I just ask one

1 question?

2 MR. PANEQUE: Yes, sir.

3 MR. MAYEROVIC: That will be on for --

4 MS. DILLON: Just can you -- can you please
5 come forward --

6 MR. MAYEROVIC: I'm sorry.

7 MS. DILLON: -- to a microphone?

8 MR. MAYEROVIC: Just want to be sure. That
9 would be definitely for November 12th, subject me
10 to getting published and notified.

11 THE SECRETARY: Okay.

12 MR. PANEQUE: What's the next meeting, Mr.
13 Vallejo?

14 THE SECRETARY: Yes. November the 12th.

15 MR. PANEQUE: November 12th?

16 THE SECRETARY: He's going to notice right
17 here. November 12.

18 MR. MAYEROVIC: That's okay. And -- and
19 I'll just send a confirming letter on that.

20 THE SECRETARY: Please.

21 Thank you.

22 MR. MAYEROVIC: Thank you.

23 MR. PANEQUE: Yeah. November 12th is the
24 second Thursday.

25 MR. MAYEROVIC: Okay.

1 MR. PANEQUE: So, yes, it would be that.

2 (Whereupon, there was a pause in the
3 proceedings.)

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1 928-930 19th Street, LLC -

2 928-930 19th Street:

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4 THE SECRETARY: Item number 6.

5 Next application, 928-930 19th Street.

6 Mr. Paneque, please?

7 MR. PANEQUE: In this next application,
8 earlier today, I received a telephone call from
9 the applicant's attorney, Mr. Anthony X. Arturi,
10 indicating that he learned that his planner was
11 not going to be available tonight, and that he
12 was requesting that this matter be carried.

13 Mr. Arturi had previously submitted his
14 proofs to establish jurisdiction, which Mr.
15 Vallejo just handed to me, so we will do that.

16 I have been provided with copies of the
17 certified mail receipts, as well as an affidavit
18 of service, indicating that notices went out to
19 everybody listed on those receipts, as well as
20 the tax assessor's list for all property owners
21 within the 200 foot radius of the property
22 located at 928-930 19th Street.

23 What I'm missing is --

24 I don't know if you have that, Mr. Vallejo,
25 a copy of the notice?

1 THE SECRETARY: Let me see.

2 MR. PANEQUE: I don't see it.

3 I just want to make sure that the notices
4 have the correct address, and also they'll be
5 subject to the proof of publication, which has to
6 also be submitted.

7 (Whereupon, there was a pause in the
8 proceedings.)

9 THE SECRETARY: I don't have a copy.

10 MR. PANEQUE: No?

11 I'm going to follow up with Mr. Arturi, to
12 get a copy of the notice.

13 Provided that it's acceptable, then the
14 matter will be carried to the November 8th (sic)
15 meeting, with the consent of this Board so --

16 MS. DILLON: November 12th.

17 MR. PANEQUE: November --

18 THE SECRETARY: Twelve.

19 MR. PANEQUE: -- 12. Yes.

20 November 12th.

21 MS. DILLON: I believe November 12th.

22 MR. PANEQUE: Yes.

23 So, Mr. Grullon, the request is to adjourn
24 the matter because he lost his planner for
25 tonight.

1 Jurisdiction is being established, subject
2 to me getting the proof of publication, as well
3 as a copy of the notice.

4 With that caveat in place, it's your choice
5 to adjourn the matter or not.

6 VICE CHAIRMAN GRULLON: Yeah.

7 First, I want to just let the public know
8 that item number 6, it's a request for the -- for
9 this matter to be carried to the November 12th
10 meeting.

11 If there's anyone from the public from that
12 -- for that application, if you have any
13 questions, please come forward.

14 No one from the public.

15 Closed to the public.

16 Yes, I want to make a motion to adjourn
17 this application to the November 12 meeting.

18 THE SECRETARY: Motion on the -- on the
19 table to adjourn this application for November 12
20 by Mr. Grullon.

21 Any second the motion?

22 MS. GUTIERREZ: Second.

23 THE SECRETARY: Seconded by Ms. Gutierrez.

24 Roll call on the motion to adjourn this
25 application for November 12, 2020.

1 No new notice required.

2 Mr. Grullon?

3 VICE CHAIRMAN GRULLON: Yes.

4 MR. PANEQUE: No new notice required.

5 VICE CHAIRMAN GRULLON: Pending to --

6 MR. PANEQUE: Yes.

7 Subject to me getting the copy of the
8 notice, and reviewing same, as well as the
9 affidavit of publication from The Jersey Journal.

10 THE SECRETARY: Thank you.

11 All right.

12 Roll call on the motion.

13 Mr. Grullon?

14 VICE CHAIRMAN GRULLON: Yes.

15 THE SECRETARY: Ms. Gutierrez?

16 MS. GUTIERREZ: Yes.

17 THE SECRETARY: Mr. Pressey?

18 MR. PRESSEY: Yes.

19 THE SECRETARY: Ms. Perez?

20 MS. PEREZ: Yes.

21 THE SECRETARY: Mr. Cetinich?

22 MR. CETINICH: Yes.

23 THE SECRETARY: Ms. Watley?

24 MS. WATLEY: Yes.

25 THE SECRETARY: Six in favor.

1 Motion carries.

2

3 (Whereupon, there was a pause in the
4 proceedings.)

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1 **CHA Partners, LLC -**

2 **546-548 35th Street:**

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4 THE SECRETARY: Item number 7.

5 Next application, Cha Partners, LLC, 546-

6 548 35th Street.

7 Mr. Lopez, please?

8 (Whereupon, there was a pause in the
9 proceedings.)

10 MR. LOPEZ: For the record, Adolfo Lopez
11 appearing on behalf of the applicant, C-H-A
12 Partners.

13 Counsel, for the record, I'm providing to
14 you our affidavit of service, the proof of
15 publication from The Jersey Journal, our notices,
16 our certified mailings, the original list has
17 been filed with Mr. Vallejo.

18 Mr. Vallejo, would you distribute some --
19 at least one per table?

20 THE SECRETARY: Thank you.

21 (Whereupon, there was a pause in the
22 proceedings.)

23 MR. PANEQUE: Let the record reflect the
24 following:

25 I've been provided by Mr. Lopez with the

1 certified mail receipts, which indicate a date of
2 mailing of September 22nd, 2020.

3 Mr. Lopez, just so that we have it on the
4 record, since it's not stamped, these are the --
5 you represent these are the dates that the
6 notices were mailed.

7 MR. LOPEZ: They were handwritten by the
8 postal clerk. They just didn't stamp it for us.

9 MR. PANEQUE: Okay.

10 Thank you, sir.

11 I've also been provided by Mr. Lopez with
12 the affidavit of service, indicating that notice
13 of tonight's hearing was sent to all property
14 owners within the 200 foot radius of the property
15 located at 546-548 35th Street and 547 36th
16 Street, based on the certified list provided by
17 the Tax Assessor's Office of the City of Union
18 City.

19 I've also been provided with a copy of the
20 newspaper ad, listing the notice for today's
21 hearing. Said publication was done on September
22 26, and the affidavit has a copy of the notice
23 that indicates that on the 8th day of October, at
24 six o'clock, at the Union City High School in the
25 Media Room, located at 2500 Kennedy Boulevard,

1 the applicant will come before the Board seeking
2 the necessary variances for the property in
3 question.

4 I've also been provided with a copy of the
5 notice that was sent out to all property owners.

6 Therefore, based on the documentation that
7 has been submitted by Mr. Lopez, this Board has
8 jurisdiction to proceed and hear this matter.

9 Thank you, sir.

10 MR. LOPEZ: Thank you, Mr. Paneque.

11 Mr. Chairman, members of the Board, good
12 evening.

13 This -- by way of introduction to this
14 project, this is a property that fronts on two
15 streets, on 35th and 36th Street. We have -- the
16 addresses are 546 35th Street, two lots, and 545
17 through 549 36th Street. And that is three lots,
18 well over 75. The architect will give the
19 dimensions.

20 This is a use variance and we need to prove
21 to you this evening that we have a better zoning
22 alternative than what is normally applicable to
23 this R zone. And our presentation will -- will
24 put that to rest and we will be able to prove to
25 you that this is a much better project for this

1 location.

2 I have two experts this evening.

3 Mr. Izquierdo will testify both as an
4 architect and a planner.

5 And we also have Greg (sic) Perego, who
6 will testify on matters of traffic, and a traffic
7 impact study. And he's a traffic expert, also
8 previously approved before this Board.

9 If I may proceed with Mr. Izquierdo, Mr.
10 Chairman? He's been previously qualified. Do
11 you -- does the Board accept him as an expert?

12 VICE CHAIRMAN GRULLON: Yes. Yes.

13 MR. LOPEZ: Thank you.

14 VICE CHAIRMAN GRULLON: We accept his
15 qualification.

16 MS. DILLON: Please raise your right.

17 VICE CHAIRMAN GRULLON: He's been here
18 before many times.

19 MS. DILLON: Do you affirm the testimony
20 you're about to give this Board is the whole
21 truth?

22 MR. IZQUIERDO: Yes, I do.

23 MS. DILLON: Please state your name for the
24 record.

25 MR. IZQUIERDO: My name is Jose Izquierdo.

1 New Jersey architect 09143, New Jersey planner
2 03385.

3 MS. DILLON: Thank you.

4 MR. LOPEZ: Mr. Izquierdo, good evening.

5 You are familiar with the site and the
6 plans that you have before you this evening.

7 Right?

8 MR. IZQUIERDO: I am.

9 MR. LOPEZ: You were contracted by the
10 property owner to prepare these plans that we are
11 showing to the Board this evening.

12 Is that correct?

13 MR. IZQUIERDO: I was.

14 MR. LOPEZ: And did -- were you -- your
15 office prepared these plans for this
16 presentation.

17 Is that correct?

18 MR. IZQUIERDO: Yes. Both the original
19 submission, and then a subsequent submission of
20 an addendment (sic, phonetic) consisting of three
21 sheets.

22 The first submission was ten sheets, that
23 consist of a full site plan submission for a D-1
24 application, and the amendment consists of just
25 three sheets, just for revising finishes on the

1 exterior.

2 MR. LOPEZ: Can you, first of all, give us
3 an overall description of the project?

4 MR. IZQUIERDO: Starting with the
5 architecture or starting with the plan?

6 MR. LOPEZ: Starting with architectural,
7 please.

8 MR. IZQUIERDO: Starting with the
9 architecture.

10 MR. LOPEZ: Starting with location first,
11 so we know where we're talking about.

12 MR. IZQUIERDO: Okay. Okay.

13 (Whereupon, there was a pause in the
14 proceedings.)

15 MR. IZQUIERDO: As counselor indicated, the
16 property is located between 36th and 35th Street,
17 and actually provides a thoroughfare that goes
18 directly through 36th Street. It provides an
19 excellent opportunity for a multi-family
20 building, whereas traffic from Kennedy Boulevard
21 would go down 36th Street, into the building, and
22 then make a right only onto 35th Street, and then
23 out onto Kennedy Boulevard.

24 MR. LOPEZ: So, this is the location of the
25 property.

1 MR. IZQUIERDO: The location of the
2 property is in a very busy section of town. And
3 actually, when you look at the zoning map -- when
4 you look at the zoning map, the site lies --

5 It's okay. It's okay. Okay. I got it.

6 The site lies in the R zone, but all of
7 this area around Kennedy Boulevard, including the
8 Taco Bell, TD Bank, all of this, Walgreen's,
9 Sunoco, all of that is in the CN zone.

10 However, the R zone comes down here,
11 parallel to Kennedy Boulevard, and then down
12 here. So, everything here is the R zone, which
13 is where we are. And since a multi-family use is
14 not an allowed use in the R zone, even in the
15 revised zoning --

16 I have to take this out, I can't.

17 -- even in the revised zoning Ordinance of
18 2019, this Board gains jurisdiction because this
19 is an application for a strict D-1 use variance.

20 MR. LOPEZ: All right.

21 So now that we've discussed the location,
22 we'll go back to it on a zoning perspective, but
23 let's start with architectural.

24 MR. IZQUIERDO: Okay.

25 MR. LOPEZ: Describe the project generally,

1 please.

2 MR. IZQUIERDO: Good enough.

3 (Whereupon, there was a pause in the
4 proceedings.)

5 MR. IZQUIERDO: The site is -- the -- the
6 proposed building is a four story building, being
7 a three story multi-family building of an R-2
8 use, with a ground floor structure also of 5A
9 construction. The ground floor parking allows
10 for the parking of 38 vehicles.

11 The 38 vehicles that are going to be
12 providing parking for the 27 spaces (sic) consist
13 of 20 -- 22 units have one space. I have 27
14 units, 22 have one space, and five of them have
15 two spaces. So that brings me to a total of 32
16 spaces. I have 38. The other six spaces, we
17 have three visitor spaces on 36th Street. We have
18 two statutory, which is the ANSI van and the ANSI
19 vehicular, and then we have one additional
20 parking space within the building for
21 maintenance, for the guy that comes in, the
22 electrician, anybody that comes in to service the
23 building.

24 So, the ground floor provides 38 parking
25 spaces. We have an elevator, an L shaped lobby.

1 When a person comes down Kennedy Boulevard, which
2 is the only way to access this site, down Kennedy
3 Boulevard, and then heading east onto 36th Street,
4 a person would then make a right, going south
5 into the building, and then has to make a right,
6 going west onto 35th Street, and then there,
7 negotiate the intersection with Kennedy
8 Boulevard.

9 MR. LOPEZ: So, 36th would be the sole --
10 exclusively as an entrance. Vehicles would not
11 be able to exit because of the way the --

12 MR. IZQUIERDO: No. It's a --

13 MR. LOPEZ: -- entrance will be shaped.

14 MR. IZQUIERDO: -- one way. This is a one
15 way. There's no exit there. There's no -- we
16 don't want any exit on 36th Street. It just
17 confuses everything.

18 MR. LOPEZ: Okay. And we --

19 MR. IZQUIERDO: And we don't want to -- we
20 -- we don't want an entry on 35th Street either.

21 MR. LOPEZ: Okay.

22 And the traffic expert will go more into
23 detail, but generally why are we doing this?

24 MR. IZQUIERDO: We're doing this because
25 what happens is, within the congested area that

1 | this is located, it's also a few properties away
2 | from Bergenline Avenue. Any other sort of
3 | development that does not take advantage of this
4 | thoroughfare transit condition is going to take
5 | all that traffic and all that noise and all that,
6 | and put it into Bergenline Avenue, which in that
7 | point, is actually at one of its narrowest.

8 | MR. LOPEZ: Okay.

9 | MR. IZQUIERDO: So, bringing the traffic
10 | down through here is an essential part of the
11 | development of this site.

12 | MR. LOPEZ: Okay.

13 | And -- and our traffic expert will address
14 | that, but please --

15 | MR. IZQUIERDO: Yes.

16 | MR. LOPEZ: -- go on.

17 | How many apartments -- give us the
18 | breakdown in the number of bedrooms for each
19 | apartment. You said we had 27 apartments.

20 | MR. IZQUIERDO: We have 27 apartments and
21 | nine of the apartment -- there are nine
22 | apartments on each floor. So, there are nine
23 | apartments on the second, nine on the third, and
24 | nine on the fourth. There's a total of 18
25 | apartments that are two bedrooms and there's a

1 total of nine one bedroom. So, every floor
2 typically has three one bedrooms and six two
3 bedrooms.

4 MR. LOPEZ: And Mr. Izquierdo, let me stop
5 you there at the number of bedrooms.

6 Based on my count, that would be a total of
7 45 bedrooms.

8 Is that correct?

9 MR. IZQUIERDO: Yes.

10 MR. LOPEZ: Eighteen two bedroom --

11 MR. IZQUIERDO: Thirty-six plus nine.

12 MR. LOPEZ: Correct.

13 MR. IZQUIERDO: Thirty-six plus nine.

14 MR. LOPEZ: Forty-five bedrooms.

15 MR. IZQUIERDO: Yes.

16 MR. LOPEZ: If -- if the option were to
17 build five three over one houses --

18 MR. IZQUIERDO: Yes.

19 MR. LOPEZ: -- how many bedrooms would we
20 have if we were to do that?

21 MR. IZQUIERDO: Forty-five.

22 MR. LOPEZ: So, this was designed with that
23 in mind, that we have no more bedrooms than what
24 we would have had if we did the three over ones.

25 Is that --

1 MR. IZQUIERDO: That --

2 MR. LOPEZ: -- correct?

3 MR. IZQUIERDO: That's what my client told
4 me that he wanted. He didn't want to go anything
5 exceeding that.

6 MR. LOPEZ: Okay.

7 Please go on with your presentation.

8 MR. IZQUIERDO: Exactly.

9 So, what happens is, on the ground floor,
10 this is a similar way that we designed the
11 building for Ray Gonzalez on 39th Street, meaning
12 that all the fire exits, they all go directly
13 outside. So, what happens is, this building --
14 the zoning actually calls, on the -- on the R
15 zone, particularly because it's for the two and
16 three family sort of variety, so the -- the
17 zoning says two feet on one side and three feet
18 on the other side. We're leaving a minimum of 45
19 inches on the egress side of the building, and
20 also at least 44, 45 inches here.

21 It is required by Code for a multi-family
22 building. It exceeds zoning, but it allows all
23 the stairs to come out and one stair goes
24 directly out onto 36th Street. The other stair
25 goes directly out onto the -- the corridor, onto

1 35th Street.

2 Between these -- between these two stairs,
3 there's landscaping, because on the other side,
4 on the houses that are between our property and
5 Bergenline Avenue, there's a one story brick
6 building here and there's a two story building
7 here. But what happens is, our site is visible
8 from here.

9 So, what my client told me that he wanted
10 to do was have a very nice fence over here, with
11 a -- with a nice landscaping and that's shown on
12 the elevation. So, that's the way we're
13 addressing that part of the residential and this
14 is where the church is located. The -- the Holy
15 Family Church is over there, with the school over
16 there. We have a big parking building, which is
17 already built, and then the new school over
18 there.

19 On the other side of the -- of the
20 property, the one coming -- because Kennedy
21 Boulevard is always on the bottom of the page.
22 So Kennedy Boulevard being here, this is
23 Walgreen's. And adjacent to Walgreen's is this
24 one story, which is a -- appears to be some sort
25 of a garage, and has a large paved area in the

1 front. So, our visitor spaces are going to be
2 adjacent to these, so it's consistent. And then,
3 when a person comes in into 36th Street, it gets
4 the full massing of the building. So, rather
5 than making a very boring rectangular building,
6 and you can see that from the rendering, the
7 building has a setback, with a greenhouse and the
8 lobby over here, with the visitors on 36th Street.

9 MR. LOPEZ: Could you show the Board the
10 elevation of that?

11 MR. IZQUIERDO: Okay. It's --

12 MR. LOPEZ: Which you have on the back.

13 MR. IZQUIERDO: Yes.

14 That would be the elevation on 36th Street.

15 MR. LOPEZ: Show where the parking spaces
16 would be.

17 MR. IZQUIERDO: Exactly. What happens is,
18 Kennedy Boulevard is over here. So, you're
19 coming in here. This is -- this is -- yeah.
20 This is the -- the elevator here. This is the
21 visitor parking spaces. And this is where you
22 would enter on 36th Street.

23 We have some French balconies here; nothing
24 projecting from the building. A full brick
25 structure, maybe in a combination of different

1 color bricks. But it's a simple structure, but
2 it matches the neighborhood because what happens
3 is the -- the -- that corner is very busy.
4 There's Walgreen's, there's Taco Bell, there's
5 everybody over there. So, this building becomes
6 almost like a transition to a lower scale
7 residential.

8 MR. LOPEZ: And we'll go into the issue of
9 the variances, but just to give an overall view
10 to the Board, what is the height on this proposed
11 building?

12 MR. IZQUIERDO: The height, according to
13 the Ordinance, is subject to the distance between
14 the reference level to the highest point of the
15 roof beams. And that, by Ordinance, is 40 feet.
16 That is allowed to be 40 feet. Correct. Four
17 stories. No. Four stories, 45 feet. We're
18 proposing to be four stories, 44 feet.

19 But what happens is, what we're doing with
20 the elevation of the building, and that is shown
21 in the amendment, is that along the sides of the
22 building, we don't want to have a parapet wall
23 that would make the building -- even though we
24 don't have a height variance, I think we have to
25 kind of like make a downscale, kind of like a

1 transition point to the houses that are two and
2 three stories high, which are the two and three
3 family houses in the neighborhood. So, the --
4 the side wall on the side of the building has a
5 gutter, which brings the building down about five
6 or six feet, otherwise it would be five, six feet
7 higher.

8 MR. LOPEZ: And once again, as a term of
9 reference, if we were -- were to build the three
10 over one, it would be the same height as this
11 building, would it not?

12 MR. IZQUIERDO: It would be -- yeah. It
13 would -- yeah.

14 MR. LOPEZ: Approximately the same.

15 MR. IZQUIERDO: Yes. Yes. It would be --
16 it would be about the same height.

17 MR. LOPEZ: And we are not asking for any
18 height variance. We are below the requirement.

19 MR. IZQUIERDO: We don't have a height
20 variance. The only variances that we have is use
21 and the -- and then we have front yard, which is
22 either ten feet or prevailing setback. I think
23 our prevailing is zero. So, my front yard right
24 now, in the building, is two feet. We have a
25 planter of two feet both on 35th Street and on

1 36th Street. That's the front yard and that's a
2 variance. If you assume that it's ten feet would
3 be required, in this condition, my position is
4 that the prevailing setback is what holds here.

5 And the other one is the rear yard, which
6 is required to be five feet and we have a
7 specific condition here, on this corner of the
8 site, where there's a garage structure and
9 there's some sort of strange geometry, and I
10 don't have the latest survey that we have
11 specifically requested to address this issue with
12 the topography and whatnot, so there's a rear
13 yard variance here. I'm leaving a minimum of at
14 least two feet here. It would be required five.
15 But otherwise, all my side yards are 44 inches.

16 MR. LOPEZ: And in Mr. Spatz's report, if
17 you review it, and I'm sure you have, he
18 indicates that the exit on 35th Street, in
19 essence, does away with the rear yard variance --

20 MR. IZQUIERDO: Yeah, but --

21 MR. LOPEZ: -- in that portion. Is that --

22 MR. IZQUIERDO: Yeah, what happens is --

23 MR. LOPEZ: Do you agree with that?

24 MR. IZQUIERDO: What happens is when --
25 when there's setbacks -- when there's setbacks on

1 a -- on a lot, you have the side yards, which are
2 also the sides with the neighbor, their rear yard
3 would be their -- with your rear yard neighbor.
4 So, zoning also allows and they have a specific
5 prescriptions for -- for corner lots. But they
6 don't have a prescription for through lots, where
7 you don't have a rear yard and you essentially
8 have two front yards, which is what we're doing.

9 MR. LOPEZ: Right.

10 MR. IZQUIERDO: We're assuming we have two
11 front yards of two feet each.

12 The apartments, which are shown on drawings
13 A-2, for the second floor, A-3 and A-4,
14 respectively, for each of the floors, the
15 elevator is here and it has a -- kind of like an
16 elevator lobby. Nobody's here. This is just the
17 elevator and you know, electrical equipment and
18 whatnot. But people come in through here.

19 Then, the corridor is just a straight
20 corridor that has a number of windows on it, to
21 allow for ventilation. The windows face onto
22 Kennedy Boulevard, and the bedrooms and the
23 living rooms face onto Bergenline Avenue, onto
24 the more residential part of the -- of the
25 neighborhood. So, whatever is traffic and

1 whatnot is buffered by the hallway.

2 So, we have seven apartments on this side,
3 and we have two on this side.

4 Unit 201 is a two bedroom, that's 1,066
5 square feet.

6 Unit 202 is a two bedroom, that's 1,044
7 square feet.

8 Unit 203 is a one bedroom, and that's 783
9 square feet.

10 Unit 204 is a one bedroom, that's 734
11 square feet.

12 Unit 205 is 954, two bedroom.

13 Unit 207, two bedroom, 1171.

14 Unit 208, 1106.

15 And unit 209, 989 square feet, two
16 bedrooms.

17 The units are identical on the third and
18 the fourth floor.

19 MR. LOPEZ: And you're familiar with the
20 size requirements of the Union City Zoning
21 Ordinance for one and two bedroom apartments.

22 MR. IZQUIERDO: Yes.

23 For a studio, it's required to be 400. For
24 a one bedroom, it's 550. On our smaller --
25 smallest one bedroom is 734. And then, for the

1 two bedrooms, we're required to have 750, and our
2 smallest two bedroom is 989.

3 MR. LOPEZ: So --

4 MR. IZQUIERDO: Our biggest two bedroom is
5 1171.

6 MR. LOPEZ: So all apartments comply --

7 MR. IZQUIERDO: They exceed.

8 MR. LOPEZ: -- with the size -- they exceed
9 the size requirement.

10 MR. IZQUIERDO: They exceed.

11 MR. LOPEZ: Okay.

12 MR. IZQUIERDO: They're very ample.

13 MR. LOPEZ: Now, I want to go back very
14 base --

15 MR. IZQUIERDO: Also --

16 Excuse me?

17 MR. LOPEZ: Yes.

18 MR. IZQUIERDO: Also, another -- another
19 one of the features of the -- of the building,
20 which I believe work well in a rental condition,
21 this is going to be a rental building, I believe,
22 we don't have any intentions of selling it as
23 condominiums.

24 In any event, there's a service closet that
25 always serves two apartments. And in that

1 service closet, we have the air conditioning, the
2 air handlers, because we don't have the PTACs or
3 anything like that, we're going to have the split
4 systems. So, we're going to have the air
5 handlers and the water heaters, all gas fired
6 within that, so when maintenance and whatnot,
7 they can come in, they can change the filters,
8 they can service the machines, the water heaters,
9 everything like that without -- without
10 disturbing the -- the tenants.

11 MR. LOPEZ: Mr. Izquierdo, I'm going to go
12 back to the parking issue for a moment. And
13 again, I'm going to ask you to compare and
14 contrast the parking -- the net parking. I'm --
15 I'm going to call net parking, the available
16 parking that we're providing, less what we're
17 taking away in on-street parking.

18 MR. IZQUIERDO: Correct.

19 MR. LOPEZ: And I'm going to ask you to
20 compare this project to what would happen if we
21 were to put up five three over one structures.

22 MR. IZQUIERDO: Yes.

23 MR. LOPEZ: So, you said we have 38 parking
24 spaces.

25 MR. IZQUIERDO: We do.

1 MR. LOPEZ: But we have two driveways. So,
2 we are --

3 MR. IZQUIERDO: We have --

4 MR. LOPEZ: -- losing --

5 MR. IZQUIERDO: We have -- we have two
6 driveways, but we also have the curb cut for the
7 visitor spaces.

8 MR. LOPEZ: Right.

9 MR. IZQUIERDO: So, we lose a little bit
10 more. But in your analysis, we would have 38
11 parking spaces, and the net would be 36.

12 MR. LOPEZ: Okay. And if we were to do
13 five --

14 MR. IZQUIERDO: Five three bedroom.

15 MR. LOPEZ: -- three over ones, what will
16 the parking situation be? How many real, usable
17 spaces would we have in those five --

18 MR. IZQUIERDO: About --

19 MR. LOPEZ: -- units?

20 MR. IZQUIERDO: -- 20, and you would end up
21 having a net of 17.

22 MR. LOPEZ: Okay, because you would lose --

23 MR. IZQUIERDO: Seven.

24 MR. LOPEZ: -- the entire frontage on -- on
25 the 75 or -- or --

1 MR. IZQUIERDO: Eighty-two feet.

2 MR. LOPEZ: -- 82 feet, and you would lose
3 everything on the 50 --

4 MR. IZQUIERDO: You lose everything,
5 because when you have a three family house, the
6 little piece of -- of land that is left between
7 one parking space and the other, you can't
8 possibly fit a -- a parking space there. And I
9 don't even know if you want to do -- to put a
10 parking space there, because if it's 25 feet by
11 Ordinance, and a car is 22 feet by Ordinance, the
12 parking space on the street, you have nothing
13 left when you do five -- five three families.

14 MR. LOPEZ: So, is it fair to say that by
15 doing this, we have a lot more, more than double
16 the parking than we would have had if we put the
17 three over ones.

18 MR. IZQUIERDO: I know that facially this
19 would appear to be a more intensive sort of
20 development structure. But in terms of the
21 impact of the surrounding community, this is much
22 lesser because you don't have all those driveways
23 and all those garages and all that craziness of
24 everybody with all those families there. Here's
25 a control situation. You have a lobby, you have

1 a secure building, you park underneath, you have
2 a nice building on the outside, nicely
3 landscaped, both on 35th Street and on 36th
4 Street. And you respect the neighborhood. It's
5 a very classical neighborhood here around the
6 Holy Family and here, with the -- it's very --
7 it's very nice. It's very, very --

8 MR. LOPEZ: So, Mr. Izquierdo, just for the
9 record --

10 THE SECRETARY: Mr. Izquierdo?

11 MR. LOPEZ: -- one more time --

12 THE SECRETARY: Excuse me?

13 Can you cover your face, please?

14 Sorry.

15 MR. IZQUIERDO: I'm sorry.

16 MR. LOPEZ: Just for the record, one more
17 time, we need a use variance.

18 MR. IZQUIERDO: We do, D-1.

19 MR. LOPEZ: And you explained what may or
20 may not be the other variance, and there's only
21 two possible other variances. We otherwise
22 comply with everything else in the zone.

23 Is that correct?

24 MR. IZQUIERDO: Front yard, rear yard and
25 number of parking spaces.

1 MR. LOPEZ: Okay. All right.

2 Now, let's switch over to the zoning aspect
3 and -- and let's go to your testimony as a
4 planner.

5 (Whereupon, there was a pause in the
6 proceedings.)

7 MR. LOPEZ: So, my introduction to this
8 Board was that we were going to show them that
9 this was the better alternative for this zone.

10 MR. IZQUIERDO: Better zoning alternative.

11 MR. LOPEZ: Absolutely.

12 MR. IZQUIERDO: Yes.

13 MR. LOPEZ: Please explain to them where
14 it's located and why that is the case.

15 Well, you sort of told them where it was
16 located, but --

17 MR. IZQUIERDO: I'm -- I'm going to stay on
18 this exhibit because I'm going a little crazy
19 flushing the sheets back and forth.

20 So, this is Kennedy Boulevard, 32nd Street,
21 and then 35th Street, which they kind of like
22 triangulate each other, and then 36th Street. So,
23 any sort of development here is going to be very
24 intensive around 36th Street, and then also around
25 35th Street, even though it's on the other side.

1 So, anybody trying to reach these two houses here
2 on 35th Street, would necessarily have to come
3 down 35th Street from Bergenline Avenue. There's
4 no way to reach those houses. The other houses
5 would -- could -- could come from 36th Street, but
6 when they leave, they have to go down Bergenline
7 Avenue. So, five three family houses just throws
8 all of that traffic and all of that craziness
9 over there on Bergenline Avenue. And you want
10 the shoppers, you want the families, but you
11 don't want the vehicles.

12 MR. LOPEZ: Mr. Izquierdo, in -- in terms
13 of location, you testified earlier that this
14 property is near a newly constructed parking
15 deck.

16 MR. IZQUIERDO: Yes. Right here. Six
17 floors.

18 MR. LOPEZ: And --

19 MR. IZQUIERDO: Next to the -- to the
20 sanctuary.

21 MR. LOPEZ: Okay.

22 And you are familiar with what's coming
23 across the street and what it is now the surface
24 parking.

25 Is that correct?

1 MR. IZQUIERDO: A new school. Yes.

2 MR. LOPEZ: All right.

3 And in terms of the traffic flow that you
4 described, if you had the three over ones on 36th
5 Street, where would all that traffic go?

6 It would go right in front of the school,
7 would it not, once it's constructed?

8 MR. IZQUIERDO: Oh, yeah. And they would
9 have to go on Bergenline Avenue. And then on
10 Bergenline Avenue, the only thing that they could
11 do is make a right, and then have to go all the
12 way to 32nd Street. Or even make it worse, make a
13 right on 35th Street, and then bring even more
14 traffic onto 35th Street.

15 This, I believe, is the part of 35th Street
16 that you want to maintain low key. The part
17 around the church, the -- the part around here,
18 the school and everything. Anything from here on
19 back just becomes this crazy commercial area
20 here.

21 MR. LOPEZ: All right.

22 And Mr. Izquierdo, you are familiar with
23 the -- the standard in the case of Medici.

24 MR. IZQUIERDO: Yes.

25 MR. LOPEZ: Are you not?

1 MR. IZQUIERDO: Yes.

2 MR. LOPEZ: Are you prepared to describe
3 the positive and negative criteria associated
4 with this project?

5 MR. IZQUIERDO: Yes.

6 In the case of Medici, which is for a
7 building use variance, is in specific cases and
8 for particular reasons.

9 As I had mentioned before, just the fact
10 that this property allows a thoroughfare to come
11 right through, and -- and create that one way
12 circulation, I believe constitutes a special
13 reasons.

14 Also, all the purposes of zoning are --
15 have been considered to be special reasons.
16 Where developing this land consistently, trying
17 to impact the neighborhood as little as is
18 possible. The building is going to be
19 noncombustible. It's going to be fire rated.
20 It's going to be sprinklered.

21 We have 45 inches or 44 inches, 44 inches,
22 we have a side yard on both sides. So, we --
23 we're giving adequate light, air and open space
24 to these apartments.

25 There's no conflict with any other

1 municipality. North Bergen is over here. So,
2 this strictly is within the purview of this
3 Board.

4 And basically, in constructing this
5 building, there doesn't have to be any extension
6 of any municipal uses. You don't need to extend
7 sewer. You don't need to extend anything.
8 Everything here is to be developed.

9 However, the negative criteria, as I have
10 -- as -- as you had mentioned before, is the loss
11 of the parking spaces and the driveway, the front
12 yard variance, where I have a two foot planter
13 here and a two foot planter here. Maybe it
14 should be bigger, but then I don't have as many
15 parking spaces as we like to have. And I don't
16 see any negative criteria for the rear yard
17 variance, because it's not affecting any
18 neighborhood -- any neighbor, it's just a one
19 story garage structure.

20 MR. LOPEZ: Would you agree that in terms
21 of the negative criteria, or the detriment,
22 actually the construction of the three over ones
23 in this location would be a bigger detriment than
24 this property?

25 MR. IZQUIERDO: If you're considering

1 | detriment, you would have to take it like item by
2 | item, like -- like we have been doing.

3 | Like when you take the driveways, you
4 | realize that the three family houses, even though
5 | it appears to be less intensive, it's more
6 | intensive in terms of the impact on the
7 | neighborhood, in losing curb -- curb cut space
8 | and everything for the -- for the parking.

9 | MR. LOPEZ: The traffic to the school, the
10 | traffic to Bergenline Avenue, are all these
11 | factors?

12 | MR. IZQUIERDO: And then, you're going to
13 | end up having 15 three -- three bedroom
14 | apartments and it's a -- it's a different --
15 | having 15 three bedrooms apartment as opposed to
16 | nine one bedrooms and 16 (sic) two bedrooms, it's
17 | a different sort of composition.

18 | So, in -- in discussing the comparative
19 | impact of both, you would have to take it item by
20 | item. In my opinion, this is a better zoning
21 | alternative.

22 | MR. LOPEZ: Okay.

23 | MR. IZQUIERDO: It meets the intent of the
24 | -- of the Master Plan, and it conforms with the
25 | -- with the purposes of zoning.

1 MR. LOPEZ: So, the enhanced proof that we
2 need before this Board, for it to be approved,
3 for this variance to be approved, you believe
4 that this is consistent with the Zoning
5 Ordinance, based upon all the reasons that you've
6 provided.

7 MR. IZQUIERDO: And that this variance can
8 be granted without substantial detriment to the
9 public good.

10 The granting of the variances would
11 actually not substantially impair the intent of
12 the Master Plan and the Zoning Ordinance.

13 MR. LOPEZ: And you're also aware of the
14 Coventry Square standard.

15 Is that --

16 MR. IZQUIERDO: Yes.

17 MR. LOPEZ: -- correct?

18 MR. IZQUIERDO: Yes.

19 MR. LOPEZ: Could you discuss that?

20 MR. IZQUIERDO: Well, the balancing of the
21 positive and the negative criteria allows the
22 Board, which has a knowledge of -- of local
23 conditions, to evaluate in their opinion what it
24 would be. So, it's basically -- it's a -- it's a
25 matter of substantiality. It's a discretionary

1 weighing of the zoning benefits, as -- as to the
2 zoning harm, which we always do in this Board.

3 MR. LOPEZ: And it's your testimony that
4 this is the better zoning alternative for the
5 reasons you've indicated.

6 MR. IZQUIERDO: Yes.

7 MR. LOPEZ: Okay.

8 MR. IZQUIERDO: Absolutely.

9 MR. LOPEZ: Is there anything else you'd
10 like to add?

11 MR. IZQUIERDO: No.

12 MR. LOPEZ: I have nothing else of this
13 witness.

14 I don't know if the --

15 VICE CHAIRMAN GRULLON: Do you have --

16 MR. LOPEZ: -- Board or the public has any
17 questions.

18 VICE CHAIRMAN GRULLON: Do you have another
19 witness, Mr. Lopez?

20 MR. LOPEZ: I have a traffic expert.

21 VICE CHAIRMAN GRULLON: Yeah. We would
22 like to listen to all the witnesses and then, we
23 will call --

24 MR. LOPEZ: Mr. Izquierdo will be
25 available.

1 VICE CHAIRMAN GRULLON: -- Mr. Izquierdo.

2 MR. LOPEZ: Craig?

3 MS. DILLON: Please raise your right hand.

4 Do you affirm the testimony you're about to
5 give this Board is the whole truth?

6 MR. PEREGOY: Yes, I do.

7 MS. DILLON: Please state your name for the
8 record.

9 MR. PEREGOY: Sure.

10 My name is Craig Peregoy, P-E-R-E-G-O-Y.

11 MR. LOPEZ: And --

12 MS. DILLON: Thank you.

13 MR. LOPEZ: -- Mr. Chairman, Mr. Peregoy
14 has been --

15 VICE CHAIRMAN GRULLON: Yes.

16 MR. LOPEZ: -- previously admitted as an
17 expert before this Board.

18 VICE CHAIRMAN GRULLON: He's been -- he's
19 been in front of the Board on many occasions.

20 MR. LOPEZ: You'll admit --

21 MR. PEREGOY: Good to see everybody again.

22 VICE CHAIRMAN GRULLON: We accept his --

23 MR. LOPEZ: -- him as an expert?

24 VICE CHAIRMAN GRULLON: Accept his
25 qualification.

1 MR. PEREGOY: I don't know what to do
2 without a railing in front of me. This is too
3 nice.

4 MR. LOPEZ: Mr. Peregoy, you were hired by
5 the property owners to prepare a traffic impact
6 study of this area.

7 Is that correct?

8 MR. PEREGOY: Correct.

9 MR. LOPEZ: And did you do so?

10 MR. PEREGOY: We did.

11 MR. LOPEZ: Could you give a general
12 introduction, at first, to this Board, relating
13 to the property, its location and traffic
14 conditions that we are addressing?

15 MR. PEREGOY: Sure.

16 As was pointed out in the prior testimony,
17 kind of a unique situation where we have frontage
18 on two streets. We're on 35th and 36th; 36th is a
19 one way away from Kennedy Boulevard towards
20 Bergenline, 35th the opposite.

21 And again, to echo the prior testimony, the
22 unique opportunity that this presents is the
23 ability to keep any vehicular traffic from going
24 to the -- past where the new school's going to
25 be, and onto Bergenline Avenue, which is

1 obviously a congested area with pedestrians and
2 vehicles.

3 In this case, we're keeping all the
4 vehicles in also a congested area, but more
5 vehicular traffic and congested area of Kennedy
6 Boulevard. And we're able to do that by having
7 this through lot. There's no other opportunity
8 to do that with a permitted use to have that --
9 that ability to avoid pushing traffic down
10 towards Bergenline Avenue. So, I think that's
11 certainly, from a traffic perspective, a benefit
12 of this over those three over one type of uses,
13 for this particular location.

14 MR. LOPEZ: On the -- sticking with the
15 issue of Bergenline Avenue, are you aware of
16 traffic conditions, particularly from about 38th
17 Street, all the way to 32nd and 495, and can you
18 describe them, please?

19 MR. PEREGOY: Yes.

20 Bergenline Avenue crawls along in that --
21 that stretch. It's -- it's the narrowest point
22 of it and it sort of funnels everybody down
23 towards 495. This is definitely one of the more
24 congested arterials in town, more -- more
25 congested parts of town. You have lots of that

1 | jitney traffic, pedestrian traffic. It's a very
2 | busy area and we're able to not add anything to
3 | that, other than some more shoppers who walk.

4 | MR. LOPEZ: And the same as I asked Mr.
5 | Izquierdo, to compare and contrast, if we were to
6 | put up the three over one structures here, what
7 | would the traffic difficulties be, relative to
8 | the school, relative to Bergenline Avenue?

9 | Where would the traffic for the houses on
10 | 36th Street have to go?

11 | MR. PEREGOY: Yeah. Obviously, if you had
12 | frontage on 36th Street, and couldn't get through
13 | to 35th Street, everybody who left their home on
14 | 36th, would have to then travel down to Bergenline
15 | Avenue into that congested area.

16 | And we're talking about a similar volume of
17 | traffic. With those three over ones, they --
18 | they tend to generate a little bit more traffic
19 | per unit than a multi-family building, like we're
20 | proposing here. So, you're really talking about,
21 | even though it's less units, same amount of
22 | bedrooms, you heard from the prior testimony, 45
23 | bedrooms, almost the same volume of traffic,
24 | except in that case, you are sending at least
25 | half of it down to Bergenline Avenue as opposed

1 to keeping it in the more vehicular oriented
2 Kennedy Boulevard corridor.

3 MR. LOPEZ: Mr. Peregoy, is it fair to say
4 that the way vehicles move in and out of the
5 property on -- on a building such as this, as
6 opposed to the three over ones, which would have
7 to back out, out of the driveway, that this is
8 also the better alternative, and please explain?

9 MR. PEREGOY: Yes.

10 Much simpler access scheme. You have one
11 curb cut on each street. It's a right turn in,
12 and a right turn out. Nobody's backing in or
13 backing out of any spaces. You don't have that -
14 - that tandem configuration on the street, where
15 you might have somebody pull a car out, block the
16 road while the other car comes out. None of that
17 occurs with this. Everything is internal to that
18 garage. So, really, the impact and any of that
19 vehicular movement is not seen by anybody. It's
20 inside the building, not impacting on the street,
21 as opposed to the three over ones where that
22 could -- that actively could impact the street,
23 and you do have backing onto the street.

24 And -- and 35th and 36th are -- are fairly
25 busy streets, even though they're side streets.

1 I mean, there's a lot of activity in this area.
2 So, I think it's a -- a great benefit to be able
3 to pull forward in, right turn in and pull
4 forward out, right turn out.

5 MR. LOPEZ: Mr. Spatz, in his report,
6 mentioned an issue that he wanted us to address.
7 The -- one of the spaces or two of the spaces are
8 fairly close to the garage door.

9 Do you see a problem with those vehicles in
10 -- in maneuvering those spaces?

11 MR. PEREGOY: No. Typically, the spaces
12 closet to the garage door, I think you meant
13 coming in, they're going to back in. They're
14 going to pull into the garage, back into their
15 parking space, and then pull -- pull straight
16 out. It's just an easier movement than to try to
17 whip around and make that -- that U turn movement
18 to get into the space.

19 Keep in mind, I know you've heard this from
20 me like a broken record, but these are low
21 turnover parking spaces. It's a residential
22 building. It's not a 7-Eleven. It's not people
23 coming in and out. So, people learn their
24 assigned space. They learn the best way to get
25 into it and out of it. And there's no impact,

1 again, to the street for getting into any of
2 these parking spaces.

3 MR. LOPEZ: Okay.

4 Anything else that you'd like to point out
5 to this Board?

6 Go over some of your -- your findings and
7 your -- and your study?

8 MR. PEREGOY: Sure.

9 You know, we did the typical traffic impact
10 study. Obviously, traffic volumes are not very
11 normal right now. So, our -- any traffic count
12 data that we recently got, we have to make
13 adjustments to.

14 We worked on the -- the Taco Bell, the
15 McDonald's rebuild, so I had a lot of traffic
16 data out there. So, I was able to -- to get --
17 get good volumes, at least along that Kennedy
18 Boulevard corridor.

19 We also did -- there's a retail development
20 on 36th Street, in the northeast corner. We
21 worked on that.

22 So, I had a lot of traffic data to work
23 with. I won't go through all the -- the details
24 of the report, but I think the high -- the
25 highlights are we don't have any impact on the

1 | levels of service and here's why.

2 | The trip generation for this, based on the
3 | ITE data, the Institute of Transportation
4 | Engineers data, gives me a maximum impact because
5 | of the one way circulation of eight vehicles at
6 | any specific intersection.

7 | If you think about it, the ingress all
8 | would impact this intersection and then the --
9 | the driveway on 36th. The egress comes out on
10 | 35th and intersects -- and -- and impacts the 35th
11 | and Kennedy Boulevard. So, you have a maximum of
12 | eight trips in an hour. That's one car -- an
13 | average of one car every seven and a half
14 | minutes. And Kennedy Boulevard, there's
15 | thousands of vehicles per hour traveling there.
16 | So, one car every seven and a half minutes, eight
17 | in an hour is not going to have any substantial
18 | impact.

19 | It's a congested corridor. I think we all
20 | know that, especially when you have tunnel
21 | traffic backing up. But this is not something
22 | that's going to generate any substantial change,
23 | if you were standing on the corner today versus
24 | when this building was there.

25 | And as I mentioned before, those three over

1 | ones generate more traffic per unit. So you have
2 | less units, even though it's the same amount of
3 | bedrooms, that traffic generation is pretty much
4 | similar.

5 | As a matter of fact, the -- the daily
6 | traffic volume for that sort of use, so this is
7 | in an entire day, 66 trips. If you had 15 three
8 | bedroom, three over one type of units, the daily
9 | traffic for this is 70 trips. So, you're talking
10 | four cars in a -- over the course of an entire
11 | day difference between what would be permitted
12 | here and what we're proposing.

13 | And in this case, again, we have the unique
14 | ability to control where our traffic goes, rather
15 | than having to back out onto those streets and
16 | sending it down to that busier Bergenline Avenue
17 | -- Bergenline Avenue corridor.

18 | MR. LOPEZ: And --

19 | MR. PEREGOY: So I believe that's really
20 | the highlights that are important.

21 | MR. LOPEZ: Mr. Peregoy, just an
22 | interesting side note that I'd like you to
23 | comment on.

24 | We -- it is not just our opinion that this
25 | is the better traffic flow, we have a parking

1 | deck which was designed specifically with this
2 | entry and exit, where vehicles are coming in on
3 | 36th and exiting on 35th.

4 | Is that not correct?

5 | MR. PEREGOY: Correct.

6 | MR. LOPEZ: And this is right next door
7 | practically to this property.

8 | MR. PEREGOY: Yes.

9 | MR. LOPEZ: Okay.

10 | And our design followed that scheme, which
11 | was set out by the City.

12 | MR. PEREGOY: Yes.

13 | And again, it's a better alternative,
14 | particularly with the school coming in. You're
15 | not going to send any -- any vehicles down
16 | towards that school, which I think is a -- a good
17 | thing and what makes this particularly good for
18 | this location.

19 | MR. LOPEZ: All right.

20 | Mr. Chairman, counsel, I have nothing else
21 | of this witness.

22 | I'd just like to recall Mr. Izquierdo for
23 | two brief questions.

24 | VICE CHAIRMAN GRULLON: All right.

25 | Thank you, Mr. Peregoy.

1 MR. LOPEZ: Mr. Izquierdo, we -- there's
2 one thing I left out, which I'd like you to
3 comment on, we discussed -- we discussed parking,
4 but we never really discussed available public
5 transportation.

6 Can you please comment on that?

7 MR. IZQUIERDO: I don't know how many --
8 how many buses from New Jersey Transit go down
9 Kennedy Boulevard, but they have to be ten, 20 or
10 30. They're constantly going. Kennedy Boulevard
11 is the main thoroughfare that becomes Bergen
12 Boulevard and goes all the way north into -- into
13 -- you know, Bergen County and whatnot. And it
14 continues all the way down Jersey City. So, this
15 is the main thoroughfare for the county.

16 So, anybody that lives here can just hop on
17 Kennedy Boulevard and get anything that they
18 want.

19 MR. LOPEZ: As well as on Bergenline
20 Avenue.

21 MR. IZQUIERDO: On Bergenline Avenue, they
22 can just walk to 32nd Street and they can even
23 take Lackawanna down to Miami if they want to go
24 there. And the bus leaves right there.

25 And then, also, you can go -- this is 36th

1 Street. All you have to do is go down to 48th
2 Street, and you have the -- the rapid rail there.

3 So, the -- the site is very well served by
4 -- by public transportation.

5 Actually, Municipal Land Use Law encourages
6 local municipalities to take advantage of local
7 parking conditions to mitigate and evaluate, if
8 in reality, 38 parking spaces is an adequate
9 number to satisfy 27 apartments.

10 MR. LOPEZ: So, if it's -- in discussing
11 this with -- with the property owner, they
12 indicated to you that any excess parking spaces
13 could even be rented out to people in the
14 neighborhood.

15 Isn't that correct?

16 MR. IZQUIERDO: Yeah. Absolutely.

17 I've been doing buildings in Union City for
18 36 years, for 35 years actually, and many of the
19 buildings that we have done, and the parking --
20 the parking requirements for the city have
21 actually increased in those 35 years. Thirty-
22 five years ago, there was a lot less parking
23 required. However, a lot of my clients have
24 always found that there is always available
25 parking in the building. Not all the tenants

1 | that come into the building, particularly this
2 | being a rental building. This is not a
3 | condominium. So, being a rental building, some
4 | people don't want to -- to have a car. They want
5 | to live in Union City, because our city offers a
6 | lot of advantages to anybody in the tri-state
7 | area.

8 | MR. LOPEZ: Thank you, Mr. Izquierdo.

9 | Mr. Chairman, I have nothing else.

10 | VICE CHAIRMAN GRULLON: Do you have any --

11 | MR. LOPEZ: If there are any questions?

12 | VICE CHAIRMAN GRULLON: -- other witness?

13 | MR. LOPEZ: I'm sorry?

14 | VICE CHAIRMAN GRULLON: Does this conclude
15 | your testimony -- testimony --

16 | MR. LOPEZ: It will conclude --

17 | VICE CHAIRMAN GRULLON: -- of all your
18 | witness?

19 | MR. LOPEZ: -- my testimony, subject to
20 | introduction of documents into evidence.

21 | VICE CHAIRMAN GRULLON: Yeah. I have
22 | questions.

23 | MR. LOPEZ: Jose?

24 | VICE CHAIRMAN GRULLON: Mr. Izquierdo?

25 | MR. IZQUIERDO: Yes.

1 VICE CHAIRMAN GRULLON: Could you come
2 back, please?

3 Could you just describe the parking garage
4 again? I just want to know the size of the
5 parking, how many actual parking you have, how
6 many tandem parkings?

7 MR. IZQUIERDO: Yes.

8 VICE CHAIRMAN GRULLON: And when you say,
9 the visitor parkings, could you just describe the
10 visitor parking and --

11 MR. IZQUIERDO: Yes, sir.

12 VICE CHAIRMAN GRULLON: -- and where they
13 are located, whether they are on the --

14 MR. IZQUIERDO: Absolutely.

15 VICE CHAIRMAN GRULLON: -- onsite or
16 street?

17 MR. IZQUIERDO: Absolutely, Mr. Grullon.
18 Absolutely.

19 This is 36th Street. We want all the
20 activity and everything for the building to be
21 down 36th Street. So, when a person comes in,
22 anybody -- a tenant, a visitor comes down 36th
23 Street, immediately you see the building,
24 immediately you see the entrance.

25 So, the -- there are three visitor parking

1 spaces that are adjacent to the Walgreen's site
2 here. And these are just open. Anybody can --
3 I'm sorry.

4 MR. LOPEZ: It would be the ones shown in
5 the rendering --

6 MR. IZQUIERDO: These here.

7 MR. LOPEZ: -- right over here.

8 MR. IZQUIERDO: The red one, the black one
9 and the one that's not there.

10 VICE CHAIRMAN GRULLON: And that will be
11 another curb cut, no?

12 MR. IZQUIERDO: Yes.

13 VICE CHAIRMAN GRULLON: Okay.

14 MR. IZQUIERDO: Yes. Which is -- that's
15 what I indicated to -- to Mr. Lopez, that in the
16 analysis, you lose two curb cuts only for -- for
17 the parking spaces inside the building. But the
18 three visitor parking spaces, that's an
19 additional curb cut, and that allows a person to
20 just -- that's going to come into the building,
21 to stop for a second, and then, doesn't have to
22 come into the structure, if they don't want to.

23 MR. LOPEZ: The -- the intent of the owners
24 was also to leave a space in the front for Amazon
25 deliveries, and FedEx, and things of that nature.

1 Isn't that correct?

2 MR. IZQUIERDO: Yeah. The -- the thing
3 with the packages from Amazon has been basically
4 a big consideration here, because it's becoming a
5 problem in the buildings. When you come into a
6 building, you have 300 boxes -- you know, of
7 Amazon. So, we have increased here -- actually,
8 we have a mailroom here for the packages for the
9 Amazon.

10 But anyway, consider -- considering with
11 Mr. Grullon's office -- question, as you go down
12 the 200 foot long aisle width -- aisle, you have
13 parking always on the left hand of you. So, you
14 have six spaces here for residents. You have 14
15 spaces here for residents. And you have three
16 spaces here for residents. So, in this group, on
17 this side, you have 23 parking spaces.

18 The stairs occur above. They go down.
19 They don't occupy any space on the parking. Just
20 that little sliver here.

21 The two exit -- the -- the parking lot has
22 actually three exits. Two for service here, and
23 one directly to the outside here as well.

24 And then, on the right hand side, you have
25 ten parking spaces here, which are going to be

1 dedicated to five units. Five units are going to
2 get two parking spaces. So, I have my -- my
3 three, four, 17 and six, 23, and ten, 33, which
4 is the 32 plus the one of the maintenance. And
5 then, we have the handicap parking here, and the
6 van directly next to the elevator and immediately
7 -- immediately when you go in, it's the elevator
8 and the van for emergencies.

9 MR. LOPEZ: And is it fair to say that
10 these five tandem spaces are intended for the
11 larger apartments, which may have two vehicles?

12 MR. IZQUIERDO: Whoever wants them.

13 MR. LOPEZ: Understood. But it makes more
14 sense that they be controlled by the same
15 household.

16 MR. IZQUIERDO: Yes. Yes.

17 VICE CHAIRMAN GRULLON: Mr. Izquierdo, the
18 size of the parking spaces?

19 MR. IZQUIERDO: Mr. Grullon, on the first
20 sheet, there's a parking schedule. I have 23
21 spaces --

22 VICE CHAIRMAN GRULLON: Oh, I see.

23 MR. IZQUIERDO: -- that are eight --

24 VICE CHAIRMAN GRULLON: I see.

25 MR. IZQUIERDO: -- by 18. I have five

1 spaces that are eight by 16, and that's 28 for
2 the residents. And then, the tandem spaces are
3 all eight by 16, so that completes my 33 for the
4 residents. And then, the ANSI vehicular is eight
5 by 18, the van is 11 by 18, and the visitors are
6 all eight by 18, total of 38.

7 VICE CHAIRMAN GRULLON: But they don't meet
8 the RSIS standard for parking.

9 MR. IZQUIERDO: No, they don't.

10 VICE CHAIRMAN GRULLON: No?

11 MR. IZQUIERDO: We're act -- we're actually
12 requesting a site plan waiver for the size of the
13 parking spaces and for the width of the aisle.

14 VICE CHAIRMAN GRULLON: And I see four
15 parking spaces like on the side.

16 MR. IZQUIERDO: Here?

17 VICE CHAIRMAN GRULLON: Yes. No, no.

18 MR. IZQUIERDO: These are three.

19 VICE CHAIRMAN GRULLON: No. Those four on
20 the bottom.

21 MR. IZQUIERDO: These?

22 VICE CHAIRMAN GRULLON: Yes.

23 MR. LOPEZ: No. That's next door.

24 MR. IZQUIERDO: This -- this is the
25 neighbor.

1 VICE CHAIRMAN GRULLON: Oh. Okay. I see.

2 MR. IZQUIERDO: This is the neighbor.

3 VICE CHAIRMAN GRULLON: Yeah.

4 MR. IZQUIERDO: I just wanted to show --

5 VICE CHAIRMAN GRULLON: That got me
6 confused.

7 MR. IZQUIERDO: -- that these -- these --
8 that these spaces are adjacent to these spaces.
9 That I'm not parking next to a house, I'm parking
10 next to a garage.

11 MR. LOPEZ: It's just a big empty lot there
12 --

13 VICE CHAIRMAN GRULLON: I see.

14 MR. LOPEZ: -- which they use to park
15 vehicles right now.

16 MR. IZQUIERDO: Yeah. There's a garage in
17 the back and there's spaces for like eight
18 vehicles in the front.

19 VICE CHAIRMAN GRULLON: Okay. That's --
20 that's it for the architectural.

21 Mr. Izquierdo, as a planner, I want to ask
22 you, did you get an opportunity to visit the
23 area?

24 MR. IZQUIERDO: Yes, I did.

25 VICE CHAIRMAN GRULLON: That area is

1 | located on the low density residential zone, low
2 | density.

3 | MR. IZQUIERDO: Yes, Mr. Grullon.

4 | VICE CHAIRMAN GRULLON: And do you see any
5 | building -- could you point to any building that
6 | is like -- you know, that amount of apartment?

7 | MR. IZQUIERDO: Yes. Well, --

8 | VICE CHAIRMAN GRULLON: In the 200 foot
9 | radius?

10 | MR. IZQUIERDO: -- everything here that is
11 | in red is a multi-family building.

12 | VICE CHAIRMAN GRULLON: Yes.

13 | MR. IZQUIERDO: And everything here that is
14 | in red is essentially a non-allowed use, which
15 | we're requesting a building use variance.

16 | I am not suggesting that we -- that we meet
17 | the criteria for the building -- for the multi-
18 | family because they are other multi-family zones
19 | -- other multi-family buildings in the area. I'm
20 | just showing that our multi-family building has
21 | another one right across the street, has another
22 | one here on Central Avenue, actually on both
23 | sides, there's another one here on 37th Street,
24 | which is 12 units. This is a four story multi-
25 | family building, also next to Taco Bell, which is

1 | completely out of place, that building.

2 | VICE CHAIRMAN GRULLON: How many units the
3 | one on 35th Street?

4 | MR. IZQUIERDO: The ones here?

5 | VICE CHAIRMAN GRULLON: Yes.

6 | MR. IZQUIERDO: I don't know, but it's not
7 | as large as this building. Maybe eight, ten.

8 | A multi-family building I consider anything
9 | that is -- that is five or six. A one, two, and
10 | three, four, all of these are one to three
11 | families. These are all one to three families.

12 | VICE CHAIRMAN GRULLON: Then would you
13 | agree that if this is approved, will be the
14 | largest building in the area?

15 | MR. IZQUIERDO: No. No, I can't agree with
16 | that, because this is a six level parking
17 | structure. This is a huge building.

18 | VICE CHAIRMAN GRULLON: No, no. I mean --

19 | MR. IZQUIERDO: Our building is --

20 | VICE CHAIRMAN GRULLON: I mean, multi-
21 | family building.

22 | MR. IZQUIERDO: Multi-family? Yes.

23 | VICE CHAIRMAN GRULLON: Yes.

24 | MR. IZQUIERDO: I don't know how many
25 | apartments are here in Central Avenue. I would

1 have a feeling that this building on Central
2 Avenue is bigger than us.

3 MR. LOPEZ: Mr. Izquierdo, I would call
4 your attention to the large building on Kennedy
5 Boulevard.

6 MR. IZQUIERDO: That's a four story, multi-
7 family.

8 MR. LOPEZ: But that's a very big --

9 MR. IZQUIERDO: But it doesn't have 27
10 units. I don't think it has 27 units.

11 MR. LOPEZ: Okay.

12 MR. IZQUIERDO: I would -- I -- I would be
13 saying something that I don't -- I don't know.

14 MR. LOPEZ: That is actually four stories
15 above a -- like three quarter basement.

16 Is it not?

17 MR. IZQUIERDO: Yeah.

18 MR. LOPEZ: So, it's almost five stories.

19 MR. IZQUIERDO: It's a very old building.
20 Yeah.

21 MR. LOPEZ: Right. Okay.

22 MR. IZQUIERDO: It's a very old building.
23 Yeah. Yeah.

24 And this is more built 1960s, 1970s, this
25 building. I think this building is comparable in

1 -- in number of units. I think this building has
2 more units than us.

3 So, we are within one of the biggest
4 buildings for multi-family, yes.

5 VICE CHAIRMAN GRULLON: I had a question
6 for Mr. Peregoy, unless you have any question for
7 Mr. Izquierdo? Anybody has any question for Mr.
8 Izquierdo?

9 MS. PEREZ: Just what's there right now?
10 What's --

11 MR. IZQUIERDO: It's a paved area. It's
12 just a vacant lot.

13 MS. PEREZ: It's -- it's -- there's nothing
14 there. Okay.

15 MR. IZQUIERDO: There's nothing. It's just
16 macadam. It's not even used for parking. It's
17 just fence and it has been vacant for --

18 VICE CHAIRMAN GRULLON: The lot adjacent to
19 the Walgreen, just right behind Walgreen.

20 MR. IZQUIERDO: Yes.

21 MR. LOPEZ: No. It's a little -- it's a
22 little beyond that. This -- this was all -- if I
23 could --

24 VICE CHAIRMAN GRULLON: Yes. Yes.

25 MR. LOPEZ: This all used to be part of

1 Plymouth and Chrysler on Kennedy Boulevard.

2 MS. GUTIERREZ: Um hum.

3 MR. LOPEZ: The service area, the parking
4 lots.

5 MS. GUTIERREZ: Um hum.

6 MR. LOPEZ: This is the furthest -- the
7 furthest from Kennedy, out of all that. And it
8 was also used on 35th Street to -- for cars and
9 car parking and it's been vacant probably for
10 more than 20 or 30 years.

11 MS. PEREZ: And is the church where it says
12 sanctuary and --

13 MR. IZQUIERDO: Yes.

14 MS. PEREZ: That's --

15 MR. IZQUIERDO: This --

16 MS. PEREZ: That's where the church is?

17 MR. IZQUIERDO: The rectory, yes, with the
18 big steeple is here and this the Holy Family
19 parish. I believe this is park -- the Park
20 Theatre over here, as well. And this is Central
21 Avenue, and all of this is -- you know, this is
22 the one way over here.

23 This is all really very church property.
24 This is the -- all feels very Ecclesiastes-cal
25 (phonetic) all of these. So, our development is

1 | trying to be from here onto Kennedy. Not from
2 | here onto here.

3 | MR. LOPEZ: So, the whole area is really a
4 | mix of many, many types of -- of structures.

5 | MR. IZQUIERDO: Many, many types of
6 | structures, but this specific corridor of Central
7 | Avenue and the church and everything here is very
8 | -- very classical.

9 | I am the architect for Saint Joseph of the
10 | Palisade, so I have a lot -- I'm doing the
11 | monastery there. I have a lot of respect for
12 | that sort of structure. I think this -- this
13 | neighborhood here has to be maintained very, very
14 | peaceful. No traffic or anything. Like the man
15 | indicated, when this church -- when this school
16 | opens and they have to close here, the 36th
17 | Street, it's not going to effect anything here,
18 | because we're just going to exit within the
19 | building onto 35th Street.

20 | VICE CHAIRMAN GRULLON: Mr. Izquierdo,
21 | could you go over the proposed lighting,
22 | landscaping and safety for the perimeter of the
23 | building?

24 | MR. IZQUIERDO: We have a planter along
25 | 35th Street and we have a planter along 36th

1 Street.

2 The planter along 36th Street, I believe,
3 has a hedge. I believe that's 20 feet long and
4 it has a number of different plants, azaleas and
5 whatnot. I have azaleas in the planter here.

6 The planter does not have a concrete floor.
7 And the planter does not have a roof up on top.
8 So, these plants are actually growing on the dirt
9 and they're exposed to the sky, so they will grow
10 and they will be pretty.

11 So, we have a hedge here on the planter,
12 and then we have another hedge here on the
13 planter. We have two street trees along 35th
14 Street. And then, we have one tree along 36th
15 Street. More than one tree along 36th Street is
16 way too many.

17 MR. LOPEZ: Can you show on the rendering
18 where the planters are?

19 MR. IZQUIERDO: Yeah. There's a planter
20 here along 36th Street, where we're going to have
21 the building signage here, identifying that this
22 is 36th Street. And then, that's the entrance to
23 the garage. This is the entrance to the lobby.

24 And then, we also have some -- some
25 planting along the lobby here. We have a

1 | greenhouse, little greenhouse, about 18 inches.

2 | And a planting along here.

3 | And I'd like to have some sort of a
4 | specimen plants here, probably a Nellie Stevens
5 | Holly over here.

6 | So, this is all going to be --

7 | Wait.

8 | This is all going to be, because from this
9 | stair, I'm going to have -- I'm going to have
10 | concrete for this egress court here, and from
11 | this stair coming down, we're going to have
12 | concrete for that egress court here.

13 | Everything between this stair, this exit,
14 | fire exit and that fire exit is landscaped. And
15 | actually, when you see the neighbor, what the
16 | neighbor is going to see is this.

17 | Well, in any event, we have a number of
18 | trees here with a -- with a six foot high shadow
19 | board fence that's going to be probably vinyl, so
20 | it's low maintenance, but the whole side of the
21 | street, the whole siding of the property is going
22 | to be fence, so -- so, we fence our own thing.
23 | And then we're also going to have fencing in
24 | here.

25 | This is all going to be concrete. There's

1 not going to be any landscaping here between us
2 and the commercial area of Walgreen's, because
3 this is all service area and our exits from the
4 parking.

5 MR. LOPEZ: And in terms of safety, to go
6 with Mr. Grullon's question, do you -- do you see
7 -- there would be no need, for example, a mirror
8 on 36th Street, because traffic is coming straight
9 in.

10 MR. IZQUIERDO: No, but what I -- what I
11 think, which is just a suggestion, you may object
12 to this, is to have some sort of a strobe here so
13 that when this door opens and there's a car
14 coming down onto 35th Street, then the horn -- the
15 -- the strobe -- but many residents object to the
16 strobe, so you know, we're still two feet --

17 MR. LOPEZ: It's a -- it's a matter of
18 choice.

19 MR. IZQUIERDO: Yeah, we're still two feet
20 away --

21 MR. LOPEZ: Right.

22 MR. IZQUIERDO: -- from the property line.

23 So, I mean, there's -- there's ample of
24 space for this car to look onto the left and see
25 if there is somebody coming, particularly a

1 pedestrian. But we're going to have light along
2 the front, particularly in the lobby here, and
3 also some very discreet lighting along 35th
4 Street.

5 MR. LOPEZ: And if need be, on the exit, on
6 35th Street, we could always put a mirror which
7 would allow exiting vehicles to see traffic --

8 MR. IZQUIERDO: A concave.

9 MR. LOPEZ: A concave mirror.

10 MR. IZQUIERDO: Convex.

11 MR. LOPEZ: Or convex.

12 Correct.

13 MR. IZQUIERDO: Convex not concave. Yeah.

14 MR. LOPEZ: Convex.

15 Correct.

16 MR. IZQUIERDO: Convex. Yes.

17 MR. LOPEZ: All right.

18 VICE CHAIRMAN GRULLON: Mr. Spatz, could
19 you --

20 MR. SPATZ: Yes.

21 VICE CHAIRMAN GRULLON: -- help me on this?

22 If -- just to compare this to a five --
23 five -- you know, construction of three family.

24 MR. SPATZ: Right.

25 VICE CHAIRMAN GRULLON: What would be the

1 parking requirement for the five structure?

2 MR. SPATZ: If they were three bedrooms,
3 they would require 2.4 spaces for each bedroom,
4 so --

5 VICE CHAIRMAN GRULLON: And would be times
6 15?

7 MR. SPATZ: Yeah. It would be --

8 MR. IZQUIERDO: Thirty-six?

9 MR. SPATZ: Yeah. In total, but I was
10 trying to come for each building would require
11 seven parking spaces would be typical as to what
12 -- as to what we're seeing.

13 VICE CHAIRMAN GRULLON: Would be 35.

14 MR. SPATZ: Thirty-five spaces.

15 VICE CHAIRMAN GRULLON: Okay.

16 Mr. Perego, could you please come forward?
17 I have a question. I have a few questions.

18 Mr. Perego, I don't recall; did you
19 mention the day when you did the traffic study?

20 MR. PEREGOY: We -- we took our latest
21 count September 24th, so very recently. And like
22 I said, I had to adjust --

23 VICE CHAIRMAN GRULLON: September 24.

24 MR. PEREGOY: -- those based on all the
25 other traffic counts I had in the area.

1 VICE CHAIRMAN GRULLON: What time of the
2 day?

3 MR. PEREGOY: Seven to nine in the morning
4 and 4:30 to 6:30 in the evening.

5 VICE CHAIRMAN GRULLON: Did you notice that
6 this street is closed there, because we have a
7 testing site for COVID in there?

8 MR. PEREGOY: Yeah.

9 VICE CHAIRMAN GRULLON: There is no traffic
10 going that way.

11 MR. PEREGOY: And obviously, the volumes
12 are much lower because of the pandemic.

13 VICE CHAIRMAN GRULLON: I think --

14 MR. PEREGOY: So, we've -- we've taken the
15 historic data. What I needed to see was who
16 turns left and right, percentagewise. And then,
17 I took my data that I have from 2018, when
18 everything was going, and used that to --

19 VICE CHAIRMAN GRULLON: Yeah.

20 MR. PEREGOY: -- to get the right numbers.

21 VICE CHAIRMAN GRULLON: Because I believe
22 there is no traffic on either street right now
23 because of the --

24 MR. PEREGOY: Yeah.

25 VICE CHAIRMAN GRULLON: -- testing site

1 | being there, and all the traffic is going to the
2 | parking garage, I believe, just to the -- to the
3 | new parking garage that they constructed there.

4 | MR. PEREGOY: Yeah. So --

5 | VICE CHAIRMAN GRULLON: There's very --
6 | very little traffic.

7 | MR. PEREGOY: Yeah. I just needed
8 | percentages. And then I had, fortunately, since
9 | we had so much data there, I had the real
10 | magnitude of traffic, but --

11 | MR. LOPEZ: So, you -- you used 2018 data
12 | with -- with regular traffic, let's say.

13 | MR. PEREGOY: Right.

14 | I had 2018 data for that thoroughfare, but
15 | I didn't have, at these two locations, how many
16 | people turned left and right, so I was able to
17 | get that percentage and then use the -- the
18 | numbers to bump it up.

19 | As a matter of fact, it was -- in the
20 | morning it was a 69 percent increase. That's how
21 | much lower the traffic is now during what's going
22 | on.

23 | VICE CHAIRMAN GRULLON: And are you aware
24 | that there's going to be a school -- the
25 | construction would probably be completed by next

1 year?

2 MR. PEREGOY: Yup.

3 VICE CHAIRMAN GRULLON: And at that time,
4 we're going to have tremendous amount of traffic;
5 parents bringing students into this school,
6 through 35th, and then leaving back through 36th,
7 during peak hours?

8 MR. PEREGOY: Yeah, a hundred percent. I
9 agree, that school -- especially down towards
10 Bergenline, it's going to be a lot going on.
11 That's why it's -- it's good that we're not
12 getting involved in that. With this design, none
13 of our traffic's going that way.

14 But yeah, that's going to be -- it's
15 already a busy area and it's going to be -- just
16 those quick times during the school drop off and
17 pickup, it's going to be crazy, but not impacting
18 -- we're not impacting that at all.

19 VICE CHAIRMAN GRULLON: Sure. I have -- I
20 have a lot of concerns with the traffic in the
21 area. And -- and also, with the safety of the
22 pedestrian, safety for the pedestrian, because
23 there's going to be a lot of childrens (sic) are
24 going up and down the street in -- in that area.

25 MR. LOPEZ: But Mr. Grullon, --

1 VICE CHAIRMAN GRULLON: And --

2 MR. LOPEZ: -- if we assume that something
3 is going to be developed on this site, and if you
4 come in and you put in the three over ones, that
5 we all speak about, it would even be worse
6 because everything that relates to those houses,
7 as Craig said, will go right in front of the
8 school and onto Bergenline Avenue; with this way,
9 we could avoid it.

10 MR. PEREGOY: Yeah.

11 MR. LOPEZ: And -- and the addition, you
12 have cars backing out onto 36th Street, if you do
13 the three over ones. You avoid that by doing
14 this also. So, this is why we are proposing this
15 project and we -- I told you I would prove to you
16 it's the better zoning alternative, and it is, if
17 you take into consideration everything that the
18 school that's being built there, the traffic on
19 Bergenline Avenue, and the current parking deck.

20 VICE CHAIRMAN GRULLON: Any member of the
21 Board has any question?

22 Okay.

23 Do you have any -- you don't have any other
24 witness.

25 MR. LOPEZ: I have no other witness.

1 VICE CHAIRMAN GRULLON: Okay.

2 I just want to open to the public at this
3 time. If any member of the public want to step
4 forward with this application?

5 Any member of the public want to --

6 MS. FALCON: Yes, I would like to --

7 VICE CHAIRMAN GRULLON: Could you please
8 come forward?

9 THE SECRETARY: Can you please --

10 MS. FALCON: I just want to say that you --

11 MS. DILLON: No, no. You have to wait,
12 ma'am.

13 MR. LOPEZ: You have to give your name.

14 MS. DILLON: Come forward. Come right over
15 here.

16 MS. FALCON: Okay.

17 Iliana Falcon.

18 MS. DILLON: Please raise your right hand.

19 Do you affirm the testimony you're about to
20 give this Board is the whole truth?

21 MS. FALCON: Yes.

22 MS. DILLON: Okay.

23 Please state your name and spell it for the
24 record, slowly for me.

25 MS. FALCON: Yes. Iliana Falcon. And

1 | that's I-L-I-A-N-A, last name is Falcon,
2 | F-A-L-C-O-N.

3 | MS. DILLON: F-A-L-T like Tom?

4 | MS. FALCON: C-O-N.

5 | MS. DILLON: Okay.

6 | And your address?

7 | MS. FALCON: Like the bird.

8 | MS. DILLON: I didn't hear the last thing
9 | you said.

10 | MS. FALCON: Falcon, F-A-L-C-O-N.

11 | MS. DILLON: Okay.

12 | And your address?

13 | MS. FALCON: Is 552 35th Street.

14 | MS. DILLON: Okay.

15 | I'm just going to ask you to keep your
16 | voice up.

17 | MS. FALCON: Okay.

18 | I just have a question and I would like to
19 | see the pictures, because we live in 35th Street
20 | and it's a lot of traffic. People that don't
21 | live there, don't realize that. And maybe he
22 | took sort of -- you know, percentage, but it's
23 | always traffic there all the time. Is traffic,
24 | is noise. It's really getting out of -- I mean,
25 | it's -- it's getting out of order. This is -- we

1 need to do something to control all the noise,
2 all the traffic. And we're putting a bigger
3 building, so I would like to know how we're going
4 to live there?

5 MR. LOPEZ: Well, if you heard all of our
6 testimony --

7 MS. FALCON: I did.

8 MR. LOPEZ: -- we tried to --

9 MS. FALCON: Sort of.

10 MR. LOPEZ: Okay.

11 MS. FALCON: I couldn't hear everything.

12 MR. LOPEZ: And if you have any questions,
13 please ask us.

14 But basically, what we are trying to do is
15 we were trying to design something for the area.
16 Specifically, looking at the alternatives, and if
17 we put these other houses that are very common
18 now, which are they call three over ones, with
19 parking on the ground floor and three three
20 bedroom units above. You heard the testimony why
21 that would even be worse.

22 So, we tried to design a building which
23 would conform to the neighborhood a lot better
24 than those houses would. So, we think this is
25 the better alternative for the reasons I said.

1 But if you have any questions --

2 MS. FALCON: Um hum.

3 MR. LOPEZ: -- of -- of any of the experts,
4 by all means --

5 MS. FALCON: Okay.

6 I just want to know, because we have a lot
7 of traffic, and then having all those buildings,
8 the buildings -- the windows are coming to our
9 houses. So, we are not going to be able to open
10 the windows even because we are on 35th Street and
11 --

12 MR. LOPEZ: You're -- you're on 35th
13 between Bergenline --

14 MS. FALCON: No.

15 MR. LOPEZ: -- and Central?

16 MS. FALCON: I'm -- no, I'm --

17 A CITIZEN: (Indiscernible).

18 MS. FALCON: -- the other side of Holy --
19 Holy Family. I'm lot two -- what is the lot?
20 Fifteen, right? Yes.

21 MR. LOPEZ: You are --

22 MS. FALCON: So, I'm -- you see the lot
23 that is empty?

24 MR. LOPEZ: Yes.

25 MS. FALCON: The house -- our house is --

1 is the -- is right next to that lot that is
2 empty.

3 MR. LOPEZ: Okay.

4 MS. FALCON: So, if you -- if the building
5 is right here, all the windows are going to be
6 facing us.

7 MR. LOPEZ: Jose, could you explain?

8 MR. IZQUIERDO: But even if --

9 MR. LOPEZ: Cover up.

10 MS. FALCON: So, I just want to make sure
11 that we at least can open the windows. The noise
12 is a lot. I mean --

13 MR. IZQUIERDO: I understand.

14 MS. FALCON: And then, how -- you know,
15 what is dimensions from one house to the other?
16 What is --

17 MR. IZQUIERDO: I understand.

18 What the zoning allows us to do is to have
19 a four story building, being three stories over
20 one level parking. So, the alternative that can
21 be built next to your house is a four story
22 building, two feet away from the property line.

23 MS. FALCON: Are they going to put a fence
24 or something?

25 MS. DILLON: Ma'am, can I --

1 MR. IZQUIERDO: No. We're proposing --

2 MS. DILLON: Excuse me one second. This is
3 difficult.

4 Can I ask you to go to this podium here?
5 Mr. Lopez --

6 MR. LOPEZ: Yes.

7 MS. DILLON: -- you can step back for a
8 moment?

9 MR. LOPEZ: So they can hear you.

10 MS. DILLON: So that you can be distanced
11 and I can get your comments on the record.

12 MS. FALCON: Oh, okay.

13 MS. DILLON: It's for a transcript.

14 MS. FALCON: Okay.

15 MS. DILLON: Okay?

16 MR. IZQUIERDO: Your question is how is
17 this proposal affecting my property more
18 adversely than if we will do what is allowed by
19 zoning?

20 What is allowed by zoning is a four story
21 structure, of three over one, which is exactly
22 what we have; a four story structure of three
23 over one. The only thing is, we're not doing
24 five of these, we're just doing one building,
25 which is a four story structure, but we're not

1 going to place it two feet away from your house
2 or three feet away from your house, which is what
3 the zoning allows us to do it. We're placing it
4 44 inches away from your house. So, farther away
5 from your house.

6 MS. FALCON: Um hum.

7 MR. IZQUIERDO: Because what happens is,
8 since we are doing a whole building, we don't
9 need to leave a two here and a three here, and a
10 three here and a two here, and a two here and a
11 three here. By the end of the day, just cut up
12 everything into like a -- like -- like a little,
13 like they were brownies. It's going to look --
14 the site plan's going to look like little
15 brownies cut. This is just one building.

16 MR. LOPEZ: And you indicated that there
17 will be fencing.

18 Please explain.

19 MR. IZQUIERDO: Fencing. Yes. Yes.

20 MR. LOPEZ: Please explain.

21 MR. IZQUIERDO: There's fencing. Our whole
22 property's going to be fenced on both sides.
23 It's going to be a six foot high chain link
24 fence. Not chain link fence, I'm sorry, shadow
25 board fence, with landscaping onto the houses

1 facing Bergenline Avenue and -- and not on the
2 other side.

3 Your house is here, I believe, on 35th
4 Street.

5 MS. FALCON: Yes.

6 MR. IZQUIERDO: We have a 44 inch space all
7 along here. And this is all going to be fenced.
8 We have a tree here in the corner and then our --
9 our cars that come out there.

10 MS. FALCON: Okay.

11 MR. IZQUIERDO: I don't know if I answered
12 your question.

13 MS. FALCON: Yeah. Yeah. I -- I'm trying
14 to process and understand the whole -- you know,
15 picture of the saying --

16 MR. IZQUIERDO: What we're doing next to
17 your house is better for you because our building
18 is farther away from you. What zoning allows us
19 to do is just as high. So, what zoning allows --
20 if you stand on your property and you're going to
21 look, is a four story building, three over one,
22 which is what we're doing.

23 MS. FALCON: Um hum.

24 MR. IZQUIERDO: But we're not doing it two
25 feet away from your house. We're going to be

1 doing it three feet eight inches away from the
2 house. So, this is a better zoning alternative,
3 specifically for your site. Specifically for
4 your property.

5 MS. FALCON: And you said it's going to be
6 a fence. We -- we said that.

7 MR. IZQUIERDO: Oh, absolutely.
8 Absolutely. Absolutely.

9 MR. LOPEZ: Whatever's on that plan, they
10 have to build.

11 VICE CHAIRMAN GRULLON: Ms. Falcon --

12 MR. IZQUIERDO: No. And you have my --

13 MS. FALCON: I saw.

14 VICE CHAIRMAN GRULLON: Ms. Falcon, I have
15 a question.

16 Your property, how many floor is it?

17 MR. IZQUIERDO: Four.

18 MS. FALCON: It's two floors.

19 VICE CHAIRMAN GRULLON: Two floors?

20 MR. IZQUIERDO: Yeah.

21 MS. FALCON: Yes.

22 VICE CHAIRMAN GRULLON: Okay. It's a --
23 it's a one family house? Two family house?

24 MS. FALCON: It's a two family house. Two
25 family house.

1 VICE CHAIRMAN GRULLON: Two family house.

2 Just two floors.

3 Okay.

4 MS. FALCON: Yes. Two floors. Yes.

5 VICE CHAIRMAN GRULLON: Thank you.

6 MR. IZQUIERDO: Yeah. Your -- your house
7 is the one that has like a mansard roof.

8 No?

9 MS. FALCON: Like a what?

10 MR. IZQUIERDO: Mansard roof, a little
11 French roof on the -- no?

12 MS. FALCON: No.

13 MR. IZQUIERDO: Okay. So, it's the other
14 one.

15 MS. FALCON: That must be them over there.

16 No. We are more to the other side.

17 MR. IZQUIERDO: Yes.

18 No, but -- but this building is farther
19 away from -- from the property line than the
20 zoning allows us to do.

21 MS. FALCON: Okay.

22 MR. IZQUIERDO: By this much, which in
23 Union City that's a lot.

24 MS. FALCON: Okay.

25 I just -- I just want to -- you know, make

1 | sure that the traffic, the noise, the -- the
2 | people that you rent there and -- you know, we
3 | have some kind of control. I don't know -- you
4 | know, what they thinking about when --

5 | MR. IZQUIERDO: There's only going to be
6 | here -- there's only going to be one garage door
7 | that's going to open when cars go in. And the
8 | cars are going to be inside -- peaceful inside,
9 | no noise or no fumes coming out of the garage
10 | because it's completely enclosed. Mechanically
11 | ventilated per Code. And another exit garage
12 | door on the other side. That's it. Two garage
13 | doors.

14 | With the other thing, you have five garage
15 | doors. They have garage doors everywhere over
16 | there. Here there's --

17 | MR. LOPEZ: And driveway --

18 | MR. IZQUIERDO: -- just one at the
19 | entrance, one at the exit.

20 | MR. LOPEZ: And driveway parking, where
21 | here you do not.

22 | MR. IZQUIERDO: Yeah.

23 | MR. LOPEZ: Here everything is inside.

24 | MR. IZQUIERDO: Yeah.

25 | MS. FALCON: Okay.

1 MR. IZQUIERDO: Yeah.

2 MS. FALCON: Okay. Okay.

3 Thank you.

4 MR. IZQUIERDO: Thank you, ma'am.

5 MS. FALCON: Okay.

6 VICE CHAIRMAN GRULLON: Any other member of
7 the public want to step forward?

8 (Whereupon, there was a pause in the
9 proceedings.)

10 VICE CHAIRMAN GRULLON: Hearing none.
11 Closed to the public.

12 THE SECRETARY: You have another.

13 VICE CHAIRMAN GRULLON: Oh, I'm sorry.

14 MS. DILLON: Right in front of this podium.

15 Sir, please raise your right hand.

16 Do you affirm the testimony you're about to
17 give this Board is the whole truth?

18 MR. STERN: Yes. My name is Berl Stern.

19 MS. DILLON: I need you to state your name
20 and spell it for the record.

21 MR. STERN: B-E-R-L.

22 MS. DILLON: V-E-R-L.

23 MR. STERN: B like boy, E-R-L.

24 MS. DILLON: Um hum.

25 MR. STERN: My last name is Stern,

1 S-T-E-R-N like Nancy.

2 MS. DILLON: Thank you, sir.

3 And your address?

4 MR. STERN: 543 36th Street.

5 MS. DILLON: Thank you, sir.

6 MR. STERN: What is the space between my
7 building, on 543 36th Street, to this building?

8 MR. IZQUIERDO: Three feet eight inches.

9 MR. STERN: That's okay. But I have a --
10 also, I want to ask about the windows.

11 MR. IZQUIERDO: Yes.

12 MR. STERN: When you make three small
13 houses, you only need to make windows on one
14 side. Now, when you make a building, you're
15 making windows against my windows, like they can
16 look into my windows.

17 MR. IZQUIERDO: What guarantee do you have
18 that the -- that the -- that you're going to get
19 the side with no windows? That doesn't matter.
20 You can -- in -- in a building that is on a 25 by
21 a hundred, leaving two feet on one side and three
22 feet on the other side, you're going to have all
23 the windows on three feet looking at your
24 property.

25 MR. LOPEZ: There's no difference.

1 MR. IZQUIERDO: Which is -- there's no
2 difference. Which actually, to me, it is better,
3 because as long as you don't line up the windows,
4 which we take care of this, I've been building
5 for 35 years in the city, by the grace of God.

6 So, if I take my window and I see that your
7 bedroom window is there, we're not going to place
8 it there, we're going to place it here -- you
9 know? I mean, we -- we -- we're responsible
10 neighbors in that sense.

11 But this building is 44 inches away from
12 the property line. And actually, I would want a
13 window to be looking into my property just for
14 security and for safety. I don't want to have a
15 blankless window building here and a blankless
16 window building here. You can be murdered right
17 there and nobody knows.

18 MR. STERN: Okay.

19 MR. LOPEZ: Let's not get so dramatic.

20 MR. IZQUIERDO: I'm saying -- I'm just
21 saying.

22 MR. STERN: Okay.

23 MR. IZQUIERDO: I'm just saying. No.
24 Cities have to have -- neighbors have to have
25 visual control of their environment.

1 If you have a lady up there in the fourth
2 floor and she has no way of looking outside,
3 there's no community policing of the -- there has
4 to be visual control of the neighbors and what's
5 going on in the neighborhood. I mean, --

6 MR. STERN: No.

7 MR. IZQUIERDO: -- it's not dramatic, it's
8 the truth.

9 MR. LOPEZ: And Mr. Stern, in terms of
10 lighting, we would work with the neighbors,
11 whatever you deem appropriate. If you -- if you
12 want --

13 MR. IZQUIERDO: Oh, nothing is going to be
14 objectionable to your backyard, into your privacy
15 or anything. All the lighting and everything is
16 screened off. There's no spillage onto other
17 properties. That's just by Ordinance. We would
18 never be able to get a CO if we violate those
19 standards.

20 MR. STERN: Okay.

21 Now, about the alley between the houses. I
22 --

23 MR. IZQUIERDO: I don't have houses.

24 MR. LOPEZ: Between the two structures.

25 MR. STERN: Between my house and the

1 building.

2 MR. IZQUIERDO: Okay.

3 MR. STERN: I don't want to get it to
4 public place. There will be like a gate.

5 Yes?

6 MR. IZQUIERDO: Of course there's a gate.
7 Of course there's a gate. Actually, you're on
8 36th Street between us and Bergenline Avenue?

9 MR. STERN: Yes.

10 MR. IZQUIERDO: Oh, we're landscaping your
11 backyard. When you look at your backyard, you're
12 going to have a nice fence and you're going to
13 have some -- some bushes over here, because this
14 is the back of your building and that's the back
15 of the other building. And you have like this
16 paved area, which is not like -- you know, it's
17 kind of like a little bit unkempt. But we're
18 going to landscape it very nice there. You have
19 it right there.

20 MR. LOPEZ: Show him here, Mr. Izquierdo.

21 MR. IZQUIERDO: Yeah. You even have the
22 dimensions right here. That's -- that's actually
23 your -- your backyard.

24 MR. LOPEZ: So that would all be
25 landscaping.

1 MR. IZQUIERDO: And fence.

2 MR. LOPEZ: And a six foot fence.

3 MR. IZQUIERDO: Yeah, with lighting and
4 very nice.

5 MR. STERN: Okay.

6 MR. IZQUIERDO: So, it's not going to be
7 objectionable to that.

8 And I don't have a lot of windows on top of
9 that. I mean, even -- you know, to your
10 backyard. You know?

11 MR. STERN: Okay.

12 Thank you.

13 MR. IZQUIERDO: Thank you.

14 MR. LOPEZ: Thank you, Mr. Stern.

15 MR. IZQUIERDO: You're welcome.

16 VICE CHAIRMAN GRULLON: Any other member of
17 the public want to step forward?

18 You know, even before I close to the
19 public, I would like to take a two minute recess.

20 MR. LOPEZ: Mr. Paneque, I would simply --
21 I'd like to move the --

22 MR. PANEQUE: The rendering?

23 MR. LOPEZ: -- the rendering in, as well as
24 the report of my traffic expert.

25 MR. PANEQUE: Okay.

1 We'll have the rendering marked as P-1.

2 MS. DILLON: What?

3 MR. PANEQUE: The rendering.

4 MS. DILLON: A-1?

5 MR. PANEQUE: A-1.

6 MS. DILLON: Okay.

7 MR. PANEQUE: So used to P and D. A-1.

8

9 (Whereupon, Rendering was received and
10 marked as Exhibit A-1.)

11

12 MR. PANEQUE: And the --

13 MS. DILLON: I'll get it from --

14 MR. PANEQUE: Mr. Peregoy's traffic report
15 would be A-2.

16

17 (Whereupon, Dynamic Traffic Impact Study
18 dated 10/2/20 was received and marked as Exhibit
19 A-2.)

20

21 MS. DILLON: Thank you.

22 MR. LOPEZ: Is Mr. Spatz's report admitted
23 to the record automatically?

24 MR. PANEQUE: Mr. Spatz's report is part of
25 the record. Yes.

1 MR. LOPEZ: Thank you.

2 VICE CHAIRMAN GRULLON: Yeah. I want to
3 call for a two minute recess on this.

4 MR. LOPEZ: Thank you.

5 THE SECRETARY: Off the record.

6 VICE CHAIRMAN GRULLON: Off the record.

7

8 (Whereupon, the Board recessed from 7:56
9 p.m. to 8:09 p.m.)

10

11 MS. DILLON: Yes.

12 On the record.

13 THE SECRETARY: Back on record.

14 Thank you.

15 Silence, please.

16 MR. LOPEZ: Mr. Chairman, back -- we're
17 back on the record.

18 I'd just like the record to reflect that we
19 had an off the record discussion with counsel and
20 yourself.

21 You will be making a -- a request for some
22 additional items, just to be sure and to cover
23 all bases with some suggestions that you'll be
24 making, and certainly we'll -- we'll accommodate
25 your needs.

1 VICE CHAIRMAN GRULLON: Yes. Yes.

2 You know, as -- as we were discussing, I
3 had some -- you know, announcement concerns that
4 I would like to get more information before we
5 come to a decision with -- with this.

6 We're trying to wait to see what's a better
7 alternative for the -- for -- on what's a better
8 zoning alternative for the area. But there are
9 some -- you know, requests that I have.

10 One is for the planner to go back and try
11 to bring -- to bring some additional pictures
12 that we can show the neighbors how the -- how the
13 area looks like right now.

14 MS. GUTIERREZ: Um hum.

15 VICE CHAIRMAN GRULLON: Because to me,
16 those are mainly one and two family houses.

17 MR. LOPEZ: Um hum.

18 VICE CHAIRMAN GRULLON: And -- and I know
19 the -- the zone permit three family structure,
20 over parking garage.

21 And -- but I -- I would like to see the
22 area. That's what I would like, the planner to
23 go back and give us more information.

24 Same thing with the -- with the plans. If
25 you can review -- review the plans and try to

1 show more lighting on the outside of the
2 buildings, or the -- more for the security of the
3 building, the safety, to make sure that the
4 pedestrian are protected when they walk up and
5 down the street on -- on both sides, 35th and
6 36th.

7 I would like to see more of that before we
8 come up to a conclusion. And --

9 MR. LOPEZ: And Mr. Grullon, we will gladly
10 do that.

11 As -- as you're aware, Mr. Chairman, these
12 are normally variable issues, which we discuss at
13 the hearings. It's very good. We could
14 certainly put them in some sort of diagram --

15 MR. IZQUIERDO: Yes.

16 MR. LOPEZ: -- and show possible safety.
17 But it was always our intent to incorporate those
18 into the final construction of the --

19 VICE CHAIRMAN GRULLON: Sure.

20 MR. LOPEZ: -- of the building.

21 VICE CHAIRMAN GRULLON: And I want to make
22 sure that the --

23 MR. LOPEZ: Yes.

24 VICE CHAIRMAN GRULLON: -- the -- the --
25 all the neighbors are -- you know, properly

1 informed. Because you know, I know we -- we send
2 notices out, but with the conditions right now,
3 with the COVID-19, maybe some of the neighbors
4 are afraid to come forward. I want you to take
5 the opportunity to --

6 MR. LOPEZ: Yes.

7 VICE CHAIRMAN GRULLON: -- visit the area.
8 You know, come back with pictures, and also the
9 -- the opportunity, if there's any other neighbor
10 that has any concern, to come back and let us
11 know.

12 MR. LOPEZ: Or any input that we receive --

13 VICE CHAIRMAN GRULLON: Yes.

14 MR. LOPEZ: -- when we visit the area.

15 VICE CHAIRMAN GRULLON: Please.

16 MR. LOPEZ: Okay.

17 VICE CHAIRMAN GRULLON: And -- and in
18 addition to that, I would like to hear more of
19 the traffic expert, Mr. Peregoy.

20 I know that he mentioned that his -- his
21 testimony was based on data from 2018. I would
22 like to see if he can go, revisit the site and
23 review the -- and do a revision of his report.
24 Considering -- and -- and right now, I'm not sure
25 if we have any traffic lights in the area. And

1 | also, to do a study projections, what's going to
2 | be when we -- if it's possible. I don't know if
3 | it's possible that you can do a projection --

4 | MR. LOPEZ: You mentioned for the school.

5 | VICE CHAIRMAN GRULLON: -- for the school
6 | and parking garage.

7 | Right now, the parking garage is only being
8 | occupied by the residents, but eventually we're
9 | going to have -- you know, morning hours, there's
10 | going to be a lot of teachers coming -- coming
11 | into the parking garage. And in the afternoon,
12 | leaving the parking garage. And that area is
13 | going to be really congested.

14 | MR. LOPEZ: Mr. Grullon, you also -- I want
15 | to put something on the record.

16 | You also mentioned to me something which is
17 | being considered by the city. We knew about it.
18 | We could not testify as to it because it's not --

19 | VICE CHAIRMAN GRULLON: We cannot testify
20 | on that because that's -- that's not something
21 | that is approved by the city. That's a --

22 | MR. LOPEZ: Agreed.

23 | Do you want us to take that -- do you want
24 | the traffic expert to take that into
25 | consideration when he comes back or not?

1 VICE CHAIRMAN GRULLON: No.

2 MR. LOPEZ: Okay.

3 Thank you.

4 Thank you.

5 I'll explain it to him so he knows.

6 VICE CHAIRMAN GRULLON: Yeah, I want to
7 make a motion to --

8 MS. GUTIERREZ: Adjourn.

9 VICE CHAIRMAN GRULLON: -- adjourn this
10 meeting --

11 MS. GUTIERREZ: This application.

12 MS. PEREZ: Application.

13 VICE CHAIRMAN GRULLON: -- for the next --

14 MS. GUTIERREZ: Application.

15 VICE CHAIRMAN GRULLON: Is it okay -- you
16 be okay for November 12?

17 MR. LOPEZ: Yes.

18 THE SECRETARY: Motion on the table to
19 adjourn this application by Mr. Grullon.

20 MS. GUTIERREZ: Seconding.

21 THE SECRETARY: Seconded by Ms. Gutierrez.

22 Roll call on the motion to adjourn this
23 application for November 12, 2020, same place,
24 same time.

25 Roll call on the motion.

1 Mr. Grullon?

2 VICE CHAIRMAN GRULLON: Yes.

3 THE SECRETARY: Ms. Gutierrez?

4 MS. GUTIERREZ: Yes.

5 THE SECRETARY: Mr. Pressey?

6 MR. PRESSEY: Yes.

7 THE SECRETARY: Ms. Perez?

8 MS. PEREZ: Yes.

9 THE SECRETARY: Mr. Cetinich?

10 MR. CETINICH: Yes.

11 THE SECRETARY: Ms. Watley?

12 MS. WATLEY: Yes.

13 THE SECRETARY: Six in favor.

14 Motion carries.

15 No new notice required.

16 MR. IZQUIERDO: Thank you.

17 MS. GUTIERREZ: Thank you.

18 MR. LOPEZ: The photographs will be

19 retained as part of the records, --

20 VICE CHAIRMAN GRULLON: Yes.

21 MR. LOPEZ: -- Mr. Vallejo?

22 MR. PANEQUE: Yes.

23 MR. LOPEZ: Do you want me to pick them up

24 or do you want to keep them?

25 THE SECRETARY: I have --

1 MR. LOPEZ: Keep them?

2 THE SECRETARY: I have one in my folder.

3 MR. LOPEZ: You have one?

4 THE SECRETARY: And also we have one for --

5 MR. LOPEZ: You can keep them. I mean,
6 we'll use them next time so --

7 THE SECRETARY: All right.

8 MR. LOPEZ: Thank you very much.

9 MS. GUTIERREZ: Thank you.

10 THE SECRETARY: We -- we are going --

11 (Whereupon, there was a pause in the
12 proceedings.)

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1 **ADOPTION OF RESOLUTIONS:**

2

3 (1) Wilson Espinoza, 719 17th Street, Block 84,
4 Lot 26. Applicant proposes the legalization of
5 apartment. **Approved**

6 (2) Jose Bonilla, 2106 Bergenline Avenue,
7 Block 113, Lot 3. Applicant proposes to legalize
8 first floor apartment. **Approved. Revised plans**
9 **not received.**

10

11 THE SECRETARY: All right.

12 We are going to do the Resolution now. We
13 have Adoption of Resolutions.

14 We have on tonight's agenda, two.

15 Wilson Espinoza, 719 17th Street, and Jose
16 Bonilla, 2106 Bergenline Avenue.

17 Resolution number 2 is going to be carried
18 over for the next meeting. That's on November
19 12, 2020, because we -- we receive today the
20 revised plans that's been --

21 We are going to adopt Resolution Wilson
22 Espinoza, 719 17 Street.

23 Can I have a motion to adopt this
24 Resolution?

25 VICE CHAIRMAN GRULLON: Motion.

1 THE SECRETARY: Motion by Mr. Pressey.

2 Any second the motion?

3 VICE CHAIRMAN GRULLON: Second.

4 THE SECRETARY: Seconded by Mr. Grullon.

5 Roll call on the motion to adopt this
6 Resolution.

7 Mr. Grullon?

8 VICE CHAIRMAN GRULLON: Yes.

9 THE SECRETARY: Mr. Pressey?

10 MR. PRESSEY: Yes.

11 THE SECRETARY: Ms. Perez?

12 MS. PEREZ: Yes.

13 THE SECRETARY: Mr. Cetinich?

14 MR. CETINICH: Yes.

15 THE SECRETARY: Ms. Watley?

16 MS. WATLEY: Yes.

17 THE SECRETARY: Five in favor.

18 Motion carries.

19 * * *

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1 **ADJOURNMENT :**

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3 THE SECRETARY: There being no other
4 application on tonight's agenda, can I have a
5 motion to close tonight's meeting?

6 MS. GUTIERREZ: Yes.

7 THE SECRETARY: Motion by Ms. Gutierrez.
8 Seconded by?

9 Mr. Grullon.

10 Roll call on the motion.

11 Mr. Grullon?

12 VICE CHAIRMAN GRULLON: Yes.

13 THE SECRETARY: Ms. Gutierrez?

14 MS. GUTIERREZ: Yes.

15 THE SECRETARY: Mr. Pressey?

16 MR. PRESSEY: Yes.

17 THE SECRETARY: Ms. -- Ms. Perez?

18 MS. PEREZ: Yes.

19 THE SECRETARY: Mr. Cetinich?

20 MR. CETINICH: Yes.

21 THE SECRETARY: Ms. Watley?

22 MS. WATLEY: Yes.

23 THE SECRETARY: Six in favor.

24 Let the record show that the meeting has
25 ended.

1 Thank you.

2 And good night, everyone.

3

4 (Whereupon, the proceedings were concluded

5 at 8:17 p.m.)

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1 STATE OF NEW JERSEY :

2 :

3 COUNTY OF ESSEX :

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5 I, DEBRA A. KASZNIAK, assigned transcriber,
6 do hereby affirm that the foregoing is a true and
7 accurate transcript in the matter of the REGULAR
8 MEETING of the UNION CITY ZONING BOARD OF
9 ADJUSTMENT heard on Thursday, October 8, 2020 and
10 digitally recorded.

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25 Monitored and proofread by: Deborah Dillon